



# EMPOWERING WIDOWS: AN OVERVIEW OF POLICIES AND PROGRAMMES IN INDIA, NEPAL AND SRI LANKA

UN Women is the United Nations organization dedicated to gender equality and the empowerment of women. UN Women supports UN Member States as they set global standards for achieving gender equality and works with governments and civil society to design laws, policies, programmes and services needed to implement these standards. It stands behind women's equal participation in all aspects of life focusing on five priority areas: increasing women's leadership and participation; ending violence against women; engaging in all aspects of peace and security processes; enhancing women's economic empowerment; and making gender equality central to national development planning and budgeting. UN Women also coordinates and promotes the UN system's work in advancing gender equality.

© 2014 UN Women. All rights reserved.

The views expressed in this publication are those of the author(s) and do not necessarily represent the views of UN Women or any of its affiliated organizations.

Published by UN Women.

UN Women Multi-Country Office for India, Bhutan, Maldives & Sri Lanka  
C83, Defence Colony  
New Delhi -110024, India  
Voice: +91 11 – 404 52300  
Fax: + 91 11 – 404 52333

[www.unwomenindia.org](http://www.unwomenindia.org)  
[www.facebook.com/unwomenindia](https://www.facebook.com/unwomenindia)  
[www.twitter.com/unwomenindia](https://www.twitter.com/unwomenindia)

For queries, please email: [registry.india@unwomen.org](mailto:registry.india@unwomen.org)

Design & print: Colorcom Advertising

Photography: Gaganjit Singh; Guild for Service-New Delhi; Aastha Sansthan and Ekal Nari Shakti Sangathan - Udaipur; Women for Human Rights-Kathmandu; Women Education Research Centre-Colombo; Swapna Majumdar; Ela Ghose.

# EMPOWERING WIDOWS: AN OVERVIEW OF POLICIES AND PROGRAMMES IN INDIA, NEPAL AND SRI LANKA

# ACKNOWLEDGEMENTS

---

UN Women would like to acknowledge Ms Usha Rai and Ms Swapna Majumdar for their incisive study on a human rights issue of such national and international importance. Special thanks to Ms Rimjhim Jain, who helped with the research in India. We are grateful to the NGOs working for the empowerment of widows as well as the many people who provided information and time to deepen our understanding of the policies and programmes for widows and their implementation in India, Nepal and Sri Lanka.

We would like to extend special thanks to Dr Mohini Giri and her team at Guild for Service, Vrindavan, India; Dr Ginny Shrivastava, Ms Varsha Jhanwar and the team at Astha Sansthan and Ekal Nari Shakti Sangathan Udaipur, India; Ms Lily Thapa and her team at Women for Human Rights, Kathmandu, Nepal; and Dr Selvy Thiruchandran and the team at Women's Education and Research Centre, Colombo, Sri Lanka.

We would also like to thank the government officials of concerned departments from the three countries for their valuable insights. Appreciation is also extended to representatives of local government bodies, to the Panchayat representatives, District Collectors, land and record officers, wardens of government shelters, and health and legal professionals in the three countries who provided valuable information on the status of the various policies and programmes for widows and single women.

Special thanks are due to Anju Dubey Pandey, Sonal Jaitly, Claire Laurent and the Ending Violence against Women team at UN Women who provided invaluable support. Gita Gupta and Mini Thakur deserve appreciation for their editorial inputs.

We express our special gratitude to Dr Rebecca Reichmann Tavares and Ms Patricia Barandun for their guidance and encouragement.

Most importantly, we would like to express our deep appreciation to the many vibrant, inspiring and empowered widows and single women, who opened their hearts to us and generously shared their time and experiences.

# FOREWORD

---

The South Asia region has witnessed consistent economic growth over the past decades, resulting in rapid modernization. Increased commitments to women's empowerment have resulted in progressive policies. Despite best efforts, however, some gaps remain. Empirical studies indicate towards the presence of islands of marginalisation within societies which are otherwise known for their strong social fabric and spirit of kinship. One such group that requires urgent attention is of widows.

As members who are traditionally perceived as being a burden and inauspicious to the family, widows in the region are often relegated to a status of the 'unwanted insiders'. The 'triple burden' that they have to contend with, in the form of stigma associated with widowhood, severe constraints on access to resources, and sexual vulnerability, makes them one of the most marginalised and vulnerable communities in this region. This is a stark contrast to their male counterparts, who are not subject to similar socio-economic exclusion within households. The problems that confound widows in the region are therefore manifestations of the extreme gender disparities that are inherent to the subcontinent, where widowhood is persistently viewed as a social stigma.

The existing state of deprivation of a large majority of widows in South Asia especially in India, Sri Lanka and Nepal needs to be taken cognizance of and addressed in keeping with the form and spirit of the Convention on the Elimination of all forms of Discrimination against Women (CEDAW). To shed light on their struggles and multiple vulnerabilities, UN Women initiated the following research to identify policies and programmes related to widows in India, Nepal and Sri Lanka. The study seeks to give an overview of what currently exists and attempts to flag critical issues in this context.

UN Women wishes to acknowledge Ms. Usha Rai and Ms. Swapna Majumdar for their diligent and insightful research. Their thoughtful analysis of the existing gaps in each country and their recommendations to improve the lives of widows will hopefully be a valuable resource for policy makers, national governments, civil society organizations, donors and sister UN Agencies,

UN Women truly believes that once widows have the capacity and the strength to claim their rights their situation will improve significantly. We hope that this study will enable decision makers to take a strong stance against the discrimination of widows in the region. We strongly believe that political will is essential to put an end to all inhuman practices widows face on a daily basis and enable them to enjoy their rights with the dignity they deserve.



Representative  
UN Women Multi Country Office  
For India, Bhutan, Maldives & Sri Lanka

# ABBREVIATIONS

ADB	Asian Development Bank
AIDS	Acquired Immune Deficiency Syndrome
AIWC	All India Women's Conference
ANM	Auxiliary Nurse Midwife
ARTH	Action Research and Training for Health
ASHA	Accredited Social Health Activist
AWAW	Association of War Affected Widows
BPL	Below Poverty line
DDC	District Development Committee
ECP	Emergency Contraceptive Pill
ENSS	Ekal Nari Shakti Sangathan
FGD	Focus Group Discussion
FWR	Far Western Region
GII	Gender Inequality Index
HDI	Human Development Index
HIV	Human Immune Virus
IDPs	Internally Displaced Persons
IGNOAP	Indira Gandhi National Old Age Pension
IGNWPS	Indira Gandhi National Widows Pension Scheme
INR	Indian Rupee
LKR	Sri Lankan Rupee
MGNREGA	Mahatma Gandhi National Rural Employment Guarantee Act
MTP	Medical Termination of Pregnancy
MWCSW	Ministry of Women, Children and Social Welfare
MWR	Mid-Western Region
NALSA	National Legal Services Authority
NAP	National Action Plan
NPC	National Planning Commission
NPR	Nepali Rupee
NSAP	National Social Assistance Programme
OPHI	Oxford Poverty and Human Development Initiative
STEP	Support to Training and Employment Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
USD	United States Dollar
VDC	Village Development Committee
WERC	Women's Education and Research Centre
WHR	Women for Human Rights

# CONTENTS

---

Acknowledgements	
Foreword	
Abbreviations	
Executive Summary	2
<b>Chapter 1: Background</b>	<b>7</b>
<b>Chapter 2: Widows in India</b>	<b>12</b>
<b>2.1 Policies and Programmes for Widows</b>	<b>14</b>
<b>2.2 Gaps in Implementation</b>	<b>16</b>
<b>2.3 Good Practices</b>	<b>21</b>
<b>2.4 Key Findings and Recommendations</b>	<b>24</b>
<b>Chapter 3: Widows in Nepal</b>	<b>27</b>
<b>3.1 Policies and Programmes for Widows/Single Women</b>	<b>30</b>
<b>3.2 Gaps in Implementation</b>	<b>32</b>
<b>3.3 Good Practices</b>	<b>37</b>
<b>3.4 Key Findings and Recommendations</b>	<b>39</b>
<b>Chapter 4: Widows in Sri Lanka</b>	<b>42</b>
<b>4.1 Policies and Programmes for Widows</b>	<b>45</b>
<b>4.2 Gaps in Implementation</b>	<b>47</b>
<b>4.3 Good Practices</b>	<b>48</b>
<b>4.4 Key Findings and Recommendations</b>	<b>49</b>
<b>Chapter 5: Overall Findings and Recommendations</b>	<b>52</b>
Annexure 1: Pension amounts contributed by state governments, India	59
Annexure 2: Number of widows benefitting under NSAP, India, 2011-12	61
Annexure 3: Number of widows in India, by Age	63
Annexure 4: Tools used in the study	64

# EXECUTIVE SUMMARY

**W**idows in South Asia, have diverse socio-economic backgrounds, speak different languages and practice different religions. Numerically too, they vary given the varying population size of the countries in the region. Among the study countries, India has 34 million<sup>1</sup> widows; Nepal, 498,606<sup>2</sup> and Sri Lanka, 471,429.<sup>3</sup> Yet, widows across the region are bound by similar stories and common experiences.

In a traditional and patriarchal society where the identity and value of a woman is determined through her husband, widowhood is much more than merely losing a husband. Many of them have to give up wearing bright clothes for white attire, remove ornamental symbols of their marital status and become strict vegetarians, since it is believed that eating meat arouses sexual desires. Widowers, on the other hand, can carry on with their normal lives and remarry.

The discrimination does not end here. Widows in South Asia continue to be treated like social pariahs. Their participation in family life or social functions is not welcomed and their mere presence is considered inauspicious. Among the more superstitious families, a widow is often blamed for the death of her husband and denied property rights.

Abandoned and discarded by their families, many widows from West Bengal in India, consider the temple town of Vrindavan, in the state of Uttar Pradesh, as their only

haven. Here, they sing for their supper and beg for survival, but insist it is better than being constantly humiliated in their own homes.<sup>4</sup> As shared by the widows, they are happier there than in their village homes, to which, most have no intention of returning. This, despite facing the ever-present fear of physical and sexual harassment, which many widows, both young and old, are subjected to.<sup>5</sup>

In Nepal, women widowed by internal conflict, struggle not only to leave their traumatized past behind but also face societal pressure to relinquish their rights. Often they are stigmatized as ‘witches’<sup>6</sup> with powers to cast spells. In the absence of any support structure, widows often succumb to the physical and mental torture inflicted on them.

The fate of their counterparts in Sri Lanka is not any better. The three decades long armed conflict in the country has impacted many lives. Economic hardships arising from displacement and loss of family members, often sole breadwinners, have hit women the hardest, particularly the widows. Official reports put the number of conflict-affected widows as 89,000.<sup>7</sup> In the absence of marketable skills, education, and ownership of resources, widows become easy prey for exploitation and abuse. In certain parts of the island country, vulnerable widows

1 Census of India, 2001

2 National Population and Housing Census, 2011, Table 18: Population aged 10 years and over by marital status and sex.

3 Sri Lanka’s Department of Census and Statistics, 2001

4 Spirituality, Poverty, Charity Brings Widows to Vrindavan, Guild For Service and UN Women, 2007

5 Dimensions of Deprivation, Report on the Poverty Level of Widows of Vrindavan, Guild For Service and UN Women, 2010

6 Campaign on VAW Alleging as Witches, 2012, Women’s Rehabilitation Centre (WOREC) Nepal, available at <http://www.worecnepal.org/event/campaign/campaign-violence-against-women-alleging-witches>

7 Ministry of Child Welfare and Women’s Affairs, Sri Lanka



are pushed into sex trade to support their families.<sup>8</sup>

## Government Policies in India, Nepal and Sri Lanka

For close to two decades now, there has been concern about the state of widows in the region, where child marriages, illiteracy and poverty combined with traditional social practices, have kept them marginalized. The governments of India, Nepal and Sri Lanka, have legislated several policies and programmes that can be accessed by widows. The most important policy, specifically formulated to alleviate the plight of widows, which is common to all three countries, is related to pension.

In India, pension for widows was introduced in 2009 under the Indira Gandhi National Widow Pension Scheme (IGNWPS).<sup>9</sup> At the time of this research, only widows between 40 and 60 years of age and living below the poverty line (BPL) were eligible for pension.<sup>10</sup> This pension of INR 300 per month (equivalent to approx. USD 6) is supplemented by state governments in accordance with their own resources.

Widows in Nepal began receiving pension after its introduction in 2011. Known as a social security allowance, this sum of Nepalese Rupees (NPR) 500 (equivalent to approx. USD 7) per month is given to all widows. The government's Ministry of Peace and Reconstruction gives a onetime compensation of NPR 300,000 (equivalent to approx. USD 3541) to the nearest beneficiary of those who were killed, or who disappeared during the conflict. An

additional one-time amount of NPR 25,000 (equivalent to approx. USD 294) is given for the education of the widow's children.

In Sri Lanka, under the new Widows' and Orphans' Pension Fund Amendment Bill which was passed in 2010, only those widows whose husbands were a part of the government system are entitled to pension. Widows of defence personnel usually receive around Sri Lankan Rupees (LKR) 32,500 (equivalent to approx. USD 258) as a one-time settlement and an extra LKR 13,000 (equivalent to approx. USD 103) from the state when they can produce their husbands' death certificates.<sup>11</sup>

Except for pension, neither India nor Nepal has national programmes specifically for widows. Sri Lanka has one specific programme called the Programme for Empowering Widows and Female headed families under which beneficiaries are helped to cope with the socio-economic and emotional challenges of being single, bereft and burdened with responsibilities.

Other policies have been enacted by the governments of the three countries that are not specific to widows but can be accessed by them. In Nepal, issues concerning single women in the country were incorporated in its 10th and 11th Five Year Plans. Under this, concessional loans are provided without collateral to cooperatives operated by single women, for training on skill development and empowerment through the local government. Social security measures, such as free legal aid, counselling and effective rehabilitation were also incorporated. The 2006 Gender Equality Bill in Nepal not only criminalizes domestic and sexual violence but also gives equal inheritance rights to women, and allows them to live independently of their husbands' families after their death. The country's National

8 Women's Education and Research Centre, Sri Lanka

9 Indira Gandhi National Widow Pension Scheme (IGNWPS), Ministry of Rural Development

10 The proposal for pension to reduce eligibility age of widows from 40 to 18 made in March 2013 is subject to Cabinet approval.

11 Association of War Affected Women (AWAW), 2009

Action Plans outline programmes to promote school enrolment provide scholarships to conflict-affected children, equip women with income-generating skills, and promote all rights —human, civil, constitutional and legal, for rural, marginalized and destitute women.

In India too, there are central and state programmes which can be accessed by widows. These include national food security schemes like the *Antyodaya Yojana* and the *Annapurna Yojana*,<sup>12</sup> in which below the poverty line (BPL) families headed by widows can get wheat and rice at subsidized rates. Widows living in *ashrams* and destitute homes in Uttar Pradesh can receive food and pocket money from the state government.<sup>13</sup>

There are two centrally sponsored schemes, Swavalamban<sup>14</sup> and Support to Training and Employment Programme (STEP)<sup>15</sup> for the economic empowerment of poor women, who head households and are between 18 to 50 years of age. The Mahatma Gandhi National Rural Employment Guarantee Scheme<sup>16</sup> seeks to provide 100 days of employment in a year at a minimum daily wage of INR 133 to those living below the poverty line.

In Sri Lanka, there are schemes like the Empowering Single Parent Families through Self Employment Programme, Nanwamu Gammana, Livestock Development<sup>17</sup> and Samurdhi Programme<sup>18</sup> to support poor

women and their children. It provides education and nutrition to children, and financial assistance to women to start small entrepreneurial projects.

## Challenges in Implementation

The research revealed several challenges in the implementation of these policies and programmes in the three countries. Schemes for widows are spread across several government ministries and no single government authority takes responsibility for their implementation. An absence of convergence and coordination between the various departments leads to poor implementation of programmes. A lack of robust monitoring mechanisms to ensure implementation of policies, and disbursement and utilization of funds, excludes a large number of widows from receiving assistance.

During the course of research it was found that not all policies have been inclusive. Policies related to pension, for example, have not always guaranteed the delivery of this important entitlement to every widow. For instance, in India, if the widow's economic status changes and she moves above the poverty line, she is no longer eligible for the pension. Additionally, as research at that time showed, only widows above the age of 40<sup>19</sup> are entitled to receive this sum. In Sri Lanka, widows whose husbands were not part of the government system are excluded from the pension programme. Nepal has an inclusive pension policy, since it is given to women regardless of their age or their husband's occupational status. But challenges in implementation deprive many widows of their entitlement.

---

12 Joint Programmes of Ministry of Rural Development and Ministry of Food and Civil Supplies, India

13 Food Money Scheme, Uttar Pradesh, India

14 Under Ministry of Women and Child Development, India

15 Under Ministry of Women and Child Development, India

16 Under Ministry of Rural Development, India

17 Under the Ministry of Child Development & Women's Affairs/ Women's Bureau, Sri Lanka

18 Under the Ministry of Economic Development, Sri Lanka

---

19 Ministry of Rural Development proposed changes in NSAP pension scheme in March 2013 to reduce eligibility age of widow pension to 18.

Additionally, procedures and documents required to access pension or other government benefits remain complex and difficult. As widows in India revealed during the focus group discussions, getting certificates to prove eligibility like economic status (BPL) or proof of residence is a big problem for many rural uneducated widows. Despite the fact that a large section of widows were dependent on borrowings to make ends meet, a recent study conducted over six Indian states found that just about one fourth of them managed to get recognized as living below the poverty line by the government, because of a lack of required documents.<sup>20</sup>

In Nepal, widows said getting the vital official cards to prove their citizenship and relationship to the marital family to access rights, particularly pension, was difficult.<sup>21</sup> The loss of documents by many women in the conflict zones in Sri Lanka, adds to the challenge in accessing their entitlements.<sup>22</sup>

## Key Recommendations

Withdrawing discriminatory clauses that deny widows their rights and creating a single window system to converge services of different departments to facilitate widows' entitlements for shelter, pensions, health, food and other requirements would make these government policies and programmes more meaningful.

In this context, shifting from welfare-driven approaches to rights-based ones is recommended in order to transform mindsets and ensure that the rights of widows are protected and maintained. Similarly, existing government policies and

programmes for widows cannot give them a life of dignity as envisioned unless its implementation is strengthened, and the procedures simplified to allow widows to effectively access their entitlements.

Strengthening engagement with civil society in the implementation of government programmes is also recommended. Research findings revealed that collaboration between government and civil society results in a more enabling environment for widows to claim relevant services. Focus group discussions in India and Nepal showed that widows who were a part of this collaborative effort were more articulate, confident and aware of their rights. This played an important role in helping them claim their entitlements, including land rights. In Sri Lanka, widows have been able to take advantage of government programmes for capacity building and skills training due to the partnership between the government and the groups working with widows. In the process, many widows have become agents of change in their community.

Increasing and strengthening partnerships among diverse stakeholders will facilitate the inclusion of widows' concerns and priorities in national policies. Research showed that strong groups of widows in the three countries motivated an empathetic bureaucracy to ensure that programmes for widow empowerment were implemented in line with the rights-based spirit in which they are framed. A partnership between women's groups, widow collectives and the government in Nepal, led to the inclusion of the various concerns of single women including widows, such as gender-based violence, gender equality and the empowerment of women, in the National Action Plan 2011. In India, similar efforts by the National Forum for Single Women and the government resulted in their inclusion as an entity in the 12<sup>th</sup> Five Year Plan.

---

20 Are We Forgotten Women? National Forum for Single Women's Rights, 2011

21 Experiences of widows in focus groups discussions, Nepal, 2012

22 Women's Education and Research Centre, Sri Lanka

Collaborative partnerships between the Governments and civil society organizations that impart skills training to empower widows will go a long way to enable them to be economically empowered. Creating enclaves of them, as in Vrindavan, India, is not enough as it merely provides them shelter and limited access to their entitlements.

Instituting an independent authority or an expert group to develop mechanisms for effective implementation and monitoring of all official schemes for widows would further facilitate the government's efforts to empower widows.

# **CHAPTER ONE**

## **BACKGROUND**

There are an estimated 245 million widows worldwide, 115 million of whom live in poverty and suffer from social stigmatization and economic deprivation largely because they have lost their husbands.<sup>23</sup> Research shows that widows are absent from the statistics of many developing countries, and do not find mention in the multitude of reports on women's poverty, development, health or human rights. There is growing evidence of their vulnerability, both socio-economic, physical and psychological, challenging many conventional views and assumptions about this 'invisible' group of women.<sup>24</sup>

UN Women has been implementing a three-year programme (2011-2014) on "Empowerment of Widows and their Coalitions" in India, Nepal and Sri Lanka. Its work with the widows in South Asia draws from its Global Strategy to End Violence against Women, especially excluded and marginalized women. Located in its commitment to a rights-based approach, it provides the framework for the empowerment of widows and facilitates a shift from the existing welfare approach. Additionally, UN-Women's expertise and experience in the areas of ending violence against women, promoting economic and security rights, promoting women's leadership and addressing HIV and AIDS are geared towards evolving a holistic and broad-based approach to tackle the marginalization of widows.

UN Women's programme envisions that by 2020, policies and plans in India, Nepal and Sri Lanka will integrate and implement rights-based strategies for addressing priorities identified by widows. This will

enable them to become agents of change and access their entitlements with dignity. The programme focused on the following two objectives:

- To reduce the social ostracism of widows and create community level, rights-based mechanisms that challenge the social norms they are forced to abide by in South Asia; and
- To facilitate mainstreaming of widows' issues into the national discourse and data collection systems in India, Nepal and Sri Lanka through the active leadership of empowered widows and their coalitions.

## Purpose of Study

There are an estimated 34 million widows in India<sup>25</sup> 498,606 in Nepal<sup>26</sup> and 471,429 in Sri Lanka<sup>27</sup>. In comparison, Afghanistan has about two million<sup>28</sup> widows, Bangladesh, 650,000<sup>29</sup> and Pakistan, three million.<sup>30</sup> Previous studies on the status of widows in India, Nepal and Sri Lanka have shown that widows in particular are economically and sexually vulnerable since they have limited education and life skills.<sup>31</sup> Gender deepens the inequalities arising on the

23 Invisible, Forgotten Sufferers: The Plight of Widows Around the World, Vijay Dutt, Loomba Foundation, Konark Publishers Pvt Ltd, 2010

24 Widowhood: Invisible Women, Secluded or Included? United Nations Division on Advancement of Women, 2001

25 Population by Marital Status and Sex: India, Census of India, 2001

26 National Population and Housing Census, 2011, Table 18: Population aged 10 years and over by marital status and sex.

27 Sri Lanka's Department of Census and Statistics, 2001

28 Invisible, Forgotten Sufferers: The Plight of Widows Around the World, Vijay Dutt, Loomba Foundation, Konark Publishers Pvt Ltd, 2010

29 HelpAge International Report on Global Action On Ageing, 2007

30 Dr Masuma Hasan, Aurat Foundation, Pakistan International Conference on Widowhood, 2010

31 Study on Status of Widows, Guild of Service, Women for Human Rights (Nepal), Association of War Affected Widows (Sri Lanka) and UN Women, 2012

basis of religion, caste and ethnicity.<sup>32</sup> In spite of numerous landmark international instruments and national legislations for the elimination of discrimination and violence against women, widows have not benefited. Their lives continue to be determined by patriarchy, discriminatory interpretations of tradition, custom, religion and resultant practices, demonstrated through stereotyping, deprivation and denial of entitlements, such as those related to inheritance, land and property, mobility, autonomy, and agency.<sup>33</sup>

The lack of reliable research-based evidence has emerged as a significant impediment in transforming their condition. This paucity of research and studies on the status of widows in South Asian countries is an indication of the low priority accorded to the issue.

Inline with its programme's objectives, UN Women undertook this research which focused on secondary data analysis, validated with field based research in select locations in India, Nepal and Sri Lanka. The objectives of this study were to:

- Identify existing policies and programmes relating to widows in India, Nepal and Sri Lanka and challenges in their implementation;
- Develop a research agenda contributing to the programme outcomes.

## Methodology

The research is based on analysis of secondary data; desk review of existing government policies and programmes in the three countries; and findings validated through field visits to Vrindavan and Udaipur in India, and Kathmandu in

Nepal. The field validation in Sri Lanka was conducted through documents shared via email and through interactive sessions via Skype.

## Inputs for Research Agenda

Recommendations for the research agenda were drawn from the multi-country consultation, held in Udaipur, India from 18-20 November 2012. Representatives from the relevant government departments of India, Nepal and Sri Lanka, civil society organizations and widows from the three countries discussed the draft report and provided inputs on areas which require greater research and analysis.

## Research Design

The research was conducted in two phases over a period of three months. The first phase involved desk research and the second, fieldwork, which was undertaken to corroborate research findings. Participatory methods were used to draw out the voice of widows from different communities, including women affected by armed conflict. The research sought to build on their experiences, perceptions and knowledge.

## Research Tools

The following research tools were used:

- Focus group discussions (FGDs)
- In-depth interviews using questionnaires

The field work in India and Nepal was undertaken in August-September 2012. Information was collated through a combination of focus group discussions (FGDs) at the community level and interviews with key informants, which included government agencies and other

32 Locating Gender in the Twelfth Five Year Plan Approach: Issues Emerging From Gendered Analysis, UN Women, 2012

33 Islamabad Declaration on Mainstreaming the Rights of Widows, 2012

stakeholders at the state and national level.

Considering that widows are not a homogenous group and face problems unique to their status and geographical location, the research team ensured comprehensive representation by including both those considered empowered and those still struggling to access their rights. The second group included widows from poor, vulnerable and marginalized groups, from marginalized communities and minorities groups such as Dalits and Muslims, abandoned widows as well as those from areas affected by conflict and displaced due to internal strife.

The six FGDs, held in India and Nepal, drew participation from 122 widows. The research team also conducted several interviews with key informants, which comprised, representatives of local government bodies like panchayats, district collectors, land and record officers, wardens of government shelters, health and legal professionals, community leaders, members of civil society and non-governmental organizations. Interviews were held with government officials from the Departments of Women and Child Development, Rural Development, the National Planning Commission, the National Women's Commission and the National Legal Services Authority. Access to participants was facilitated by NGO programme partners of UN Women, viz.: *EkalNari Shakti Sangathan* and *Astha Sansthan* in Udaipur, India; *Guild for Services* in Vrindavan, India; *Women for Human Rights (WHR)* in Nepal; and *Women's Education and Research Centre (WERC)* in Sri Lanka.

## Limitations

The Study is an important piece of research on an issue where there is paucity of evidenced based data. Its findings are merely

indicative in nature and attempt to provide a starting point for further enquiry. Given the constraint of resources, the secondary data analysis, with select field validations lends this research to obvious limitations. The field validation focuses on qualitative analysis rather than a validation through numbers. A balance of both would have strengthened the findings. Since information on widow related programmes and schemes is not readily available in the public domain in a comprehensive manner, it is possible that some information may have been inadvertently missed out or may have changed between the time the data was reviewed and the publication of this study.

A visit to Sri Lanka did not materialize; hence, the information on Sri Lanka could not be validated through on ground field visits. Though it was possible to map the schemes available to destitute women, it was not feasible to conduct focus group discussions to bring in the human angle to the report as well as assess the grassroots dynamics. In addition to the information supplied by WERC, the study reviewed research studies, blogs and newspaper reports on the issue by women's groups and activists. Information about the experiences of Sri Lankan widows, their struggles and the indignities and disrespect encountered on becoming a widow, was gathered through interviews with widows from Sri Lanka who participated at the consultation held in Udaipur as mentioned above. Details of government policies related to widows were collected through interviews with government officials of the Sri Lankan Ministry of Child Development; Women's Affairs and the Women's Bureau, who also participated in the Udaipur consultation.

Numeric figures relating to entitlements have been converted at the prevalent rate of the dollar at the time of data collection and may have changed since.



## Organization of the Report

This report is organized into six chapters: Chapter 1 introduces the report, discusses its objectives and the methodology adopted for the research; Chapter 2, 3 and 4 provide a comprehensive analysis of the existing country policies and programmes and their implementation in India, Nepal and Sri Lanka, respectively, as well as a sharing of the experiences of the widows

in these countries; Chapter 5 concludes the report by summarizing the key findings from the analysis, elaborating on ongoing efforts that need to be built upon, as well as identifying the challenges that need to be addressed. Some recommendations that could help improve the status of widows in the region have also been presented and issues that need greater research to enable strategic advocacy, flagged.

# **CHAPTER TWO**

## **WIDOWS IN INDIA**

## TWO FACES OF INDIAN WIDOWS

Mankanwar was just 19 years old when she married a farmer in Kota district of Rajasthan in 1993 and moved into his joint family. Seven years later, her husband died of cancer and Mankanwar, uneducated and mother of two, became a widow. She was thrown out by the in-laws who hounded her to give up her share in the family property. Fortunately, she heard of the EkalNari Shakti Sangathan (ENSS), an organization that worked for single women in Udaipur and sought help. Through its support, she has not only been able to get control of her share in the family property, but today, is also a block representative of ENSS in Kota, helping other single women get their entitlements.

Mankanwar represents the comparatively new group of 80,000 widows of Rajasthan, Bihar, Gujarat, Himachal Pradesh, Jharkhand, Maharashtra and Punjab who have come together under the National Forum for Single Women's Rights. Kishori Dasi, 75, from Punjab and Nupur Rai, 70, from Shillong, Meghalaya, live in Vrindavan, Uttar Pradesh (UP), barely three hours from the capital New Delhi. This is where widows from different parts of India, and from West Bengal in particular, congregate to worship Lord Krishna.

As compared to the largely illiterate widows in Vrindavan, both are well educated. Kishori Dasi has studied up to class 10 and Nupur Rai is an intermediate pass. Both have been living in rented accommodation in the holy city for 24 and 30 years, respectively. They moved into the government shelter in Chaitanya Vihar when they felt the need for security and care of a home.

Kishori gets INR 1000 every month (equivalent to approx. USD 20) from her son and supplements it by occasionally going to the Bhajan Ashrams to chant prayers for INR 4 and get 100 grams of rice and 50 grams of pulse. Nupur does not go to the Bhajan Ashrams. Though a schoolteacher in Vrindavan for many years, she has no savings and does not want to work. However, she has been getting the food money of INR 500 (USD 10) and pocket money of INR 50 a month (USD 1) under a state government's scheme for widows living in shelter homes. Although the money is dispensed erratically, once in three or four months, it is transferred straight into her bank account.

Both women do not have ration cards or Antyodaya cards, nor do they get old age or widow's pension, though the Ashram is now trying to get them these entitlements. Kishori Dasi and Nupur Rai represent a stream of widows typical of Vrindavan. They are old and disinclined to work. Having moved to Vrindavan for spiritual reasons, they prefer to spend their time in prayer and visiting temples. There are some 34 million widows in India. With the joint family structure collapsing in India, many of them either leave their homes voluntarily or are thrown out by the family members – they gravitate to pilgrim cities like Vrindavan, Varanasi, Puri and Tirupati.

India with a population of 1.2 billion is the world's largest democracy. It has 29 states<sup>34</sup> and seven union territories which function under a federal structure. It ranks 136 out of 187<sup>35</sup> countries in the United Nation's Human Development Index. The same report puts India's Gender Inequality Index (GII) at 132 out of 148 countries.

In terms of female literacy and representation in Parliament, India fares poorly. Though the literacy level among women has improved steadily over the last decade, rising from 53.6 per cent in 2001 to 64.4 per cent in 2011, it is lower than Sri Lanka which has a female adult literacy rate (above 15 years) of 89.07 per cent.<sup>36</sup> In terms of women's representation in elected bodies, although their representation in local bodies such as panchayats and zilaparishads was good (33 to 50 per cent as mandated by law), it was just 11 per cent in the 15<sup>th</sup> Lok Sabha and 12 per cent in the 16<sup>th</sup> Lok Sabha, as against the global average of 20 per cent.<sup>37</sup>

Child-marriage leading to early widowhood has been recognised as a problem since the 18<sup>th</sup> century. Despite efforts by social reformers to end this practice, child marriages continue to remain a challenge even today, adding to the vulnerabilities of girls. According to the Population Reference Bureau in Washington, 47 per cent of women in India get married before the legal age of 18.<sup>38</sup> A 2009 UN study<sup>39</sup> on

widows in Vrindavan found that 94 per cent of them were married as children or before 18 years. The same study revealed that 71 per cent of them had not been to school, and were therefore illiterate, ignorant of their rights and powerless. A more recent study conducted on the status of widows in Vrindavan by the National Legal Services Authority (NALSA) in 2012 also found the majority of them to be illiterate.

## 2.1 Policies and Programmes for Widows

While the Government of India has enacted several policies and programmes for destitute women in India, there is one specific national pension programme for widows.

**Pension:** The government introduced the Indira Gandhi National Widow Pension Scheme (IGNWPS)<sup>40</sup> under the National Social Assistance Programme (NSAP)<sup>41</sup> in 2009. At the time of this research, the programme was meant to benefit widows between 40 to 59 years living below the poverty line (BPL), excluding widowed women who do not fall in this age group.<sup>42</sup> In 2012, the existing monthly pension was increased from INR 200 to INR 300 (equivalent to approx. USD 6) with states being asked to contribute an equal amount. Most states add their own contribution, which varies from INR 75 (equivalent to approx. USD 1.50) in Madhya Pradesh to INR 800 (equivalent to approx. USD 16) in Delhi. (State contributions given in annexure)

34 In June 2014, a new state 'Telangana' was carved out of the state of Andhra Pradesh, bringing the total number of states in India to 29.

35 UN Human Development Report: The Rise of the South, Human Progress in a Diverse World, United Nations Development Programme, 2013

36 Literacy Rate, Adult Female (% of females ages 15 and above), World Bank, 2011

37 UNDP Moots Caucus of Women Politicians for Quota Bill (Lead). In: News, 2012.10.12

38 The World's Women and Girls Data Sheet, Population Reference Bureau, 2011

39 Dimensions of Deprivation, Report on the Poverty Level of Widows of Vrindavan, Guild for Service and UN Women, 2009

40 Indira Gandhi National Widows Pension Scheme, Ministry of Rural Development, Government of India

41 The National Social Assistance Scheme (NSAS) or National Social Assistance Programme (NSAP) is a flagship welfare program of the Government of India initiated on 15 August 1995.

42 Ministry of Rural Development proposed reduction in NSAP widow pension eligibility age from 40 to 18 in March 2013 subject to cabinet approval.

The Ministry of Rural Development, which implements the NSAP, disburses the pension funds to the states based on the list of beneficiaries identified by them.

After the age of 60, the widows become eligible for the old age pension. For those above 80 years, the pension has been increased from INR 300 to INR 500 (equivalent to approx. USD 6 to USD 10).<sup>43</sup>

States with large populations have a high number of widow pensioners. Topping the list is Uttar Pradesh, followed by Madhya Pradesh, Tamil Nadu, Maharashtra, Andhra Pradesh, Karnataka, Orissa, Jharkhand and Chhattisgarh (List in Annexures). According to the NSAP, 584,781 widows in UP receive the widow's pension. With the state's contribution of INR100 (equivalent to approx. USD 2) a month, widows get INR 400 (equivalent to approx. USD 8) a month.

Further, in the Andaman and Nicobar Islands, Dadra & Nagar Haveli, Daman and Diu, and Goa did not report coverage under IGNWP.<sup>44</sup> Although many states provide their own widows' pensions, according to a review by the NSAP<sup>45</sup> in 2012 the number of beneficiaries of the IGNWP is less than the number of widows identified in the census (as per the Indian census 2001, number of widows was 34 million while the number of IGNWP beneficiaries for the year 2011-12 was about 3.6 million, according to the National Social Assistance Programme). It has asked the concerned governments to identify the missing beneficiaries.

**Other Programmes:** Since a large number of young widows do not qualify for pension, India has several other schemes for widows

and destitute women. At the national level, all below the poverty line (BPL) families, including widows, are entitled to a ration card that enables them to get subsidized food from fair price shops at nominal prices.

- Under the Antyodaya Anna Yojana, introduced in 2000, BPL families headed by widows/single women are entitled to wheat at INR 2 per kg and rice at INR 3 per kg.
- Under the Annapurna scheme, indigent old people at or above 65 years, who do not get old age pension, are entitled to 10 kg of free rice every month.
- Under the Indira Gandhi Awas Yojana,<sup>46</sup> financial assistance of INR 45,000 (USD 900) and INR 48,500 (USD 970) is provided to the rural BPL households for constructing a shelter in the plains and hills, respectively. The assistance is to the woman or jointly to the couple. Under the Swadhar scheme<sup>47</sup> shelter homes support widows, and women in distress and their children who are below 18 years for short periods. Food, clothing, counselling, legal help and training for rehabilitation are other components of the scheme. In Vrindavan, three homes for widows receive Swadhar assistance.

**State Programmes:** In addition to pension, state governments like Rajasthan and Uttar Pradesh have various schemes for the welfare of widows and their children.

- The Rajasthan government has a Palanhar scheme in which a widow receives INR 500 (USD 10) every month for the welfare of her child upto five years of age. Thereafter, the assistance is INR 675 (equivalent to approx. USD

43 NSAP, Ministry of Rural Development, Government of India

44 NASP figures of widow beneficiaries, Ministry of Rural Development, 2012

45 NSAP Internal Review, 2012, Ministry of Rural Development

46 Under Ministry of Rural Development

47 Under Ministry of Women and Child Development

13.5) per month and covers the child's education upto 18 years. An additional INR 2,000 (equivalent to approx. USD 40) is given annually for the child's clothing. This facility extends to grandparents who may be looking after the children if the widow decides to remarry or gets into relationship with a man in a practice called *nata*<sup>48</sup> that is widely prevalent in the state and has social acceptance. A sum of INR10,000 (equivalent to approx. USD 200) is also available for the marriage of a BPL widow's daughter and INR 15,000 (equivalent to approx. USD 300) for her own remarriage.<sup>49</sup>

- In Uttar Pradesh, widows in ashrams or destitute homes get food money of INR 500 (USD 10) and pocket money of INR 50 (equivalent to approx. USD 1).<sup>50</sup> The state government also gives pension under the Rani Lakshmi Bai Pension Scheme (known as the Mahamaya Pension until May 2012) of INR 400 (equivalent to approx. USD 8) per month to destitute women between 18 and 55 years of age. In Himachal Pradesh, Puducherry, Tamil Nadu, UP, Kerala and Rajasthan, widows are encouraged to remarry and offered INR 10,000 to INR 25,000 (USD 500 to 620) as cash incentive or fixed deposit. In Tamil Nadu, the scheme was launched in 1975 and today the assistance is INR 20,000 (USD 400). In 2009-10, the number of women who received assistance under the scheme increased to 181 as against 167 in 2008-09. The

government also gives free saris twice a year to widows and the elderly during the festivals of Pongal and Diwali.

- Besides Rajasthan, many other states also provide INR 10,000 to INR 25,000 (USD 500 to 620) for marriage of a BPL widow's daughter. In some states, assistance is provided for the marriage of up to two daughters. In Tamil Nadu, in addition to cash, the government provides four grams of gold for making the *mangalsutra*, a symbol of marriage worn by women in India.
- In Mathura district of UP, 10 widows received money for the marriage of their daughter between April 2011 and March 2012. In the same period, four widows availed of the INR15,000 allocated for the remarriage of a BPL widow below 35 years.<sup>51</sup> Rajasthan, Delhi and Kerala also support the education of the children of widows through scholarships. In Kerala, the support extends to college education.

## 2.2 Gaps in Implementation

**Lack of Awareness about Social Protection and Developmental Programmes:** Government data shows that 3,628,467<sup>52</sup> widows received pension in 2011-12. The number of NSAP beneficiaries, which includes widows, the elderly and the disabled, rose from 8.7 million in 2007-08 to over 25 million in 2011-12.<sup>53</sup> Though this seems like a phenomenal growth, this research showed that a large number of widows, primarily in the rural areas, are either not aware about their entitlement to a pension or do not know how to access it.<sup>54</sup>

48 Under this custom, a man enters into a relationship or literally a *nata* with a woman who is often a widow but does not marry her. They live together with social sanction, and their children have acceptance in the community. The man is generally a widower. Married men can also have another woman as *nata* if their wife does not bear a son.

49 Widow Remarriage Scheme, Rajasthan

50 Food Money Scheme, Uttar Pradesh

51 O P Yadav, Probationary Officer, Welfare Programmes, Mathura District

52 Indira Gandhi National Widows Pension Scheme, 2011-12

53 NSAP, 2011-12

54 Widows statement in focus group discussions in Udaipur and Vrindavan, 2012

A study by the National Legal Services Authority (NALSA) found that of the 1780 widows living in Vrindavan, only 186 were receiving widows' pension (10 per cent) and 93 were receiving old age pension,<sup>55</sup> indicating that less than 20 per cent widows were getting pension.<sup>56</sup> This figure was corroborated by an earlier study undertaken by the Guild for Service in 2009.<sup>57</sup>

**Lack of Credible Data:** While the census enumerates widows, credible analytical studies on status of widows and challenges faced by them in accessing social protection and other empowerment provisions are not common. State specific studies in this regard are particularly lacking and the lack of proper database on widows or their needs makes the implementation of government policies difficult.<sup>58</sup> As per a recent study by the NALSA, there are only 1780 widows in Vrindavan, which is much lower than the earlier estimate of 3000 to 5000 made by the Municipal Corporation of Mathura in 2006.<sup>59</sup>

**Difficulty in obtaining Relevant Documents:** The BPL widows, who are the intended pension beneficiaries, are largely illiterate and unable to produce the paper work that is required to access their entitlements.<sup>60</sup> Obtaining birth and death certificates, a BPL certificate or proof of residence required to access programmes, including land or property, is a challenge for rural uneducated widows. Acquiring death certificates within the stipulated period of 30 days after the

55 Internal Study, National Legal Services Authority, 2012

56 Internal Study, National Legal Services Authority, 2012

57 Dimensions of Deprivation, Report on the Poverty Level of Widows of Vrindavan, Guild for Service and UN Women, 2009

58 Dimensions of Deprivation, Report on the Poverty Level of Widows of Vrindavan, Guild for Service and UN Women, 2009

59 Municipal Corporation of Mathura, 2006

60 NSAP, Ministry of Rural Development

death of the husband is difficult given the socio-economic condition of widows and stigma and discrimination faced following the loss of their spouses. Travelling to district offices to get the relevant forms for pension, opening bank accounts to access the pension is equally difficult and complex for widows, especially for the older ones. Financial illiteracy adds to their problems.

**Inadequate Coverage of Beneficiaries:** Although the IGNWPS guidelines use a common eligible criteria, i.e. widows who are BPL and between 40-60 years of age, state governments, citing lack of funds, often resort to prioritising beneficiaries.

**Lack of Convergence of Services:** The absence of a single window system means that the schemes for widows are spread across several government ministries, which leads to their poor implementation.

**Lack of Effective Monitoring Mechanisms:** Monitoring mechanism to ensure a proper implementation of policies, and correct disbursal and utilization of funds are weak.<sup>61</sup>

**Lack of Income Generating Programmes:** There are very few economic empowerment programmes for widows of different age groups. There are no national skill development programmes for widows above the age of 40, excluding many of them. For example, a crafts training scheme for widows and separated women promoted by the government is meant only for those below 35 years. Research showed that most widows in Vrindavan preferred to visit the Bhajan Ashrams where they earned money and foodgrains rather than chanting prayers. The Bhagwan Bhajan Ashram, one of the oldest in Vrindavan, has raised remuneration for chanting bhajans from INR 4 to INR 10. Widows

61 Internal Study, National Legal Services Authority, 2012

visiting this ashram twice a day get twice the money as well as rations (100 gms of rice and 50 gms of lentils). Those who are unable to visit these ashrams prefer to beg, although begging is not allowed. Research also showed that some widows living in government shelters also resort to begging, earning as much as INR 200 (equivalent to approximately USD 4) at the Banke Behari temple every day.

### **Policy Design lack Rights Based Approach:**

The government approach continues to be welfare driven. The absence of a rights-based approach in government policies and programmes makes the widows dependent on doles or pensions. Many of the policies remain discriminatory. Widows could lose their government job and pension if they move above the poverty line or remarry. In Gujarat and Rajasthan, widows lose their right to pension if their sons attain the age of 21 and 25, respectively, on the presumption that they would look after them.

Research showed that in teaching jobs reserved for widows in Rajasthan, the widow has to give a written declaration that she will not remarry for at least five years. If she remarries after that period, she can retain her job. Both of these rules are discriminatory and hinder the economic empowerment of widows.<sup>62</sup>

The State Commission for Women in Rajasthan had written to the Chief Minister pointing out that government offices in many districts ask widows to submit an affidavit stating that they are single and would not remarry.<sup>63</sup> In many districts in the state, including Udaipur, widows lose their government job if they remarry, contended activist Ginny Shrivastava, co-founder, Astha Sansthan, Udaipur reiterating the

---

62 Remarriage of widows programmes, Rajasthan

63 Shocker for Widows in Rajasthan: Need a job? Don't Remarry, Dainik Bhaskar, March 24 2012

challenges faced by widows.<sup>64</sup>

In Sikkim, remarriage requires no-objection certificates from the in-laws and an undertaking by the new husband to look after the widow's children from her previous marriage. In addition, the couple needs to provide another written statement that they will not divorce for the next 10 years.

### **Shelter Homes not quipped to provide Long-Term Stay to Needy Widows:**

At the time of this research, while there were no shelter homes exclusively for widows in Rajasthan, there are shelter homes for widows in Vrindavan. However, these remain under-utilized. At the time of this research there were seven homes in Vrindavan, five were run by the Uttar Pradesh state government and two by NGOs. The state run Leela Kund, that could accommodate 150 women, closed down in June 2012 for repairs and the widows had to be moved out to another Ashram. Mahila Ashray Sadan I in Chaitanya Vihar has the capacity to house 250 widows but only 220 lived in it. Mahila Ashray Sadan II can house 320 widows, but only 156 lived in it. With a capacity for 100 people, Sitaram Sadan in Goranagar had only 62 people living there.

The Ras Behari Sadan, better known as the Pagal Baba Ashram, which started in 1998, seems to be the most popular home despite its run down condition given its proximity to the temple complex. It has capacity for 150 and accommodates 135.

Amar Bari Ma Dham, run by the NGO Guild for Service is a comparatively new, spacious complex that can accommodate about 200 women. However, at the time of the field research, it housed 80 widows. The oldest home in Vrindavan was started by the NGO All India Women's Conference in 1989. This

---

64 Astha Sansthan, an NGO in Udaipur working for women's empowerment



## REPRODUCTIVE HEALTH SERVICES FOR WIDOWS

It is important to recognize the sexual and reproductive rights and health of widows. Widows are often sexually abused by members of their family and others, and require access to medical services.

Dr Kirti Iyengar of ARTH Sansthan, an NGO which provides reproductive health services, including abortions to women in and around Udaipur, looked at her data of the 4000 women who accessed reproductive health services over a period of 10 years. Ten of them were widows. All had come for abortion and were between 22 to 40 years. This shows that there is a need to provide widows with access to comprehensive reproductive healthcare including abortion services.

Dr Iyengar says if the widow goes to a government health centre she could be exploited and charged up to INR 3000 (equivalent to approx. USD 60) while the actual cost of an abortion by within 12 weeks of conception varies from INR 150 to INR 400 (equivalent to approx. USD 3 to 8). This is because in the traditional Indian society a widow is not expected to have sexual relations and get pregnant. If she does, her morality is questioned.

Confidentiality is essential for reproductive health services for widows. ARTH's volunteers provide free contraceptives as well as emergency contraceptive pills (ECP) to the community. Of the 1079 women who took the ECP from ARTH, six were widows and some also came for a pregnancy test. Public health services in rural areas often do not take into account the confidentiality issues. The health workers, ASHAs and ANMs, have to record the name of every woman they bring in for abortion or sterilization but also the name of her village, making identification easier. Widows in need to contraception or abortion services, fearing stigmatization, resort to quacks or unsafe abortion methods.

Confidentiality is also vital when dealing with widows living with HIV. Dr Iyengar has handled three cases of women infected by their husbands. One of them died as a result of HIV infection nine years after the death of her husband.

is a small home with a capacity for 30 people and is occupied by very old widows.

The need to improve conditions of shelter home in general has been recognised by the government<sup>65</sup> as well as civil society organisations. Shelter homes, barring a few examples of privately run homes, are not a

viable option for widows who need longer term stay and elderly widows who need special care. Lower occupancy in some of examples discussed above might be an indication of this, although greater and more in-depth study is needed about the options available to widows who are forced to or chose to stay away from home.

**Inaccessible Healthcare:** Research showed that widows spend a substantial part of their resources on healthcare because access

65 Report of the working group on Women's Agency and Empowerment, 12th Five Year Plan, Planning Commission, India

to free health services is limited. During focus group discussions in Vrindavan and Udaipur, some widows indicated that they had to sell their jewellery and land to meet the expenses for medical treatment.

In Rajasthan, treatment has become completely free in government hospitals for everyone since 2011.<sup>66</sup> Widows do not have to pay the INR 2 registration fee and can access 500 medicines that are supposed to be available at the district hospital and 150 medicines at the Primary Health Centres.<sup>67</sup> But the long distances from the villages to the PHCs and district hospitals, make it difficult for widows to access these benefits.

**Minority Widows:** In India, ‘widows’ appears to be synonymous with Hindu widows. The government has paid little attention to the problems of Muslim and Christian widows. According to activists and experts contacted for this study, Muslim widows, generally face more problems than those in other communities in accessing their entitlements because their movements tend to be more restricted. If a man had more than one wife, then his widows face the added problem of who will receive the widows’ pension and division of the husband’s property between the wives and children becomes even more complex.

Tabassum Kabir, whose NGO, Kabir Society, based in Udaipur works for the rights of Muslim women, recently handled the case of harassment of the second wife of a deceased Muslim man by his first wife’s sons. *“Since this woman was getting a widows’ pension, she was being deprived of a share in her husband’s property. I proved that as a legally wedded wife, under the Muslim Personal Law, she and her children were entitled to an equal share of the man’s property, just like*

*the first wife and her children. The wives are also entitled to widows’ pension. Although equal rights are given to the wives under the personal law, it is not implemented,”* said Tabassum.

Organizations like Kabir Society and the 170-members of Bhartiya Mahila Muslim Sangathan for single and widowed women in Udaipur, are working to ensure that the *meher*, a lump sum promised by the man to his wife at the time of *nikah* (marriage), is actually given to the woman. This would ensure that she has some money to fall back upon in case of exigencies like her husband’s death or separation. It was shared by those interviewed that although the widow has the right to present the *nikahnama* or marriage certificate in court and demand her *meher* from her in-laws, widows rarely seek legal recourse. This is because after the husband’s death, all the women gather around the body and virtually compel the woman to give up the money assured to her at the time of the marriage saying ‘*mehermaafkar*’ (waive the marriage settlement fee). This pressure on the woman to relinquish the *meher*, based on the belief that the man will not attain *jannat* (paradise) if he dies before clearing all his debts, ensures that the widow never raises the issue of *meher* though it is her legal right.

At a time when the widow should be getting her husband’s death certificate and other necessary documents for securing her entitlements, a combination of cultural practices and low awareness about their entitlements keeps most Muslim widows homebound. This happens despite the *Shariat* allowing widows the right to leave their homes to earn a living even before the mandatory four months of seclusion after the husband’s death.

66 Mukhyamantri Swasthya Yojana (Chief Minister’s Health Scheme), 2011

67 Mukhyamantri Swasthya Yojana (Chief Minister’s Health Scheme), 2011

68 Ekal Nari Shakti Sangathan (ENSS)

## NATA TRADITION AND WIDOWS

Under this custom, a man enters into a relationship or literally a nata with a woman, who is often a widow, but does not marry her. They live together with social sanction, and their children have acceptance in the community. The man is generally a widower. Married men can also have another woman as nata if their wife does not bear a son.

Describing her experience as a nata, Sewa Bai from the Gokunda village says, her brother-in-law took her as anata when her sister had two daughters, whereas he wanted a son. Widowed now with two small children, Sewa Bai got help from ENSS<sup>1</sup> to get the widows' pension. The mining company where her partner was employed gave her sister employment in his place as she was the legal wife. The panchayat recognised Sewa Bai as the dead man's partner and got the necessary certificates for the pension. However, the Sangathan emphasizes that the woman in a nata relationship must legalize her position even if it is on a stamp paper so that she and her children can claim their rights in case of death or separation.

The custom is so widely prevalent among SC/ST, OBC and tribal communities that the government has acknowledged it through the Palanhar Scheme. Through this, the grandparents get assistance to look after the children of the woman who goes into a nata relationship, leaving her children in their care.

However, Udaipur-based lawyer Vandana Udawat claims that nata is an exploitative custom because often the widow is 'bought' from her in-laws, and deprived of the benefits of being a legally wedded wife. She, therefore, also does not have a choice of who she is getting into a relationship with. Udawat has handled several cases in which it was impossible to get the widow's pension for the nata and there was friction over property rights between the legal heirs and the children born in a nata relationship. The custom is also responsible for the limited utilization of the widow's remarriage scheme in the district in the past two years.

Tulsi Bai of ENSS organizes village level meetings, encouraging women to register their nata relationships. Because of the male interest in the custom and the panchayat sanction, nata is very popular. "It is a Catch 22 situation but we do not want women to lose out", she says.

Muslim widows should be encouraged to participate in employment programmes adapted to their interests. The Kabir Society has taken the lead by training 30 women, of whom 12 are widows, under the Rajasthan government's Swaran Jayanti Shahari Rozgar Yojna (Urban Employment Scheme). This involved a three-month skills-based training in jewellery-making and zardozi-craft. Subsequently, all the

women were enabled to procure individual loans of upto INR 100,000 to start their own business. At the time of the research, 12 widows of the group were also drawing widow pensions.

### 2.3 Good Practices

**Linking widows to government schemes:** At the time of this research, evidence



showed that in Rajasthan, 99,658 widows were getting pension under the NSAP.<sup>69</sup> This has been possible because of the cooperation between the government, local administration and NGOs working for widows' empowerment. During focus group discussions in Udaipur, widows stated that they were able to access government schemes like pension because of the Ekal Nari Shakti Sangathan (ENSS), an organization set up in 2000 to work for the rights of widows and single women.

ENSS has been successfully fighting for the entitlements of its 40,000 members—land rights, widow pensions, and educational benefits for their children. Information on state and central government programmes and policies are shared at the block level. ENSS newsletters containing a list all the programmes are read out at meetings to keep the widows informed about their

69 NSAP figures of widow beneficiaries, Ministry of Rural Development, 2012

entitlements and new schemes.

**Information sharing:** In Udaipur district, information sharing and awareness raising led to an increase in the beneficiaries of the Palanhar scheme, from 950 in 2010 to 4587 in 2012. Government officials like the Badgaon block development officer took the initiative to ensure that 151 of the 585 widows receiving pension also benefited from the Palanhar scheme. These widows were unaware they were eligible for both.

**Government-NGO partnership:** When ENSS found that a large number of widows were not able to benefit from the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA), because they did not have separate job cards in their

## SARPANCH REACHES OUT

Rekha Devi was too frightened to go to her marital village and get the death certificate of her husband who had been killed by family members over a property dispute. Without the certificate, she could not access her entitlements. After hearing her problems, the Sarpanch, who had joined the discussions, agreed to help her. Although the matter was outside his official jurisdiction, he agreed to write a letter to his counterpart to assist Rekha. He also offered police protection. ENSS veterans also offered to accompany her to the village and on the testimonies of two neighbors of the deceased, they obtained the death certificate.

Sarpanch is the elected head of panchayat (local governance unit in rural areas, usually comprising 3-5 villages)

## DECENTRALIZED MODEL FOR SOCIAL SECURITY SCHEMES

Kerala has transferred the responsibility of seven of its major social security schemes from various departments to its local bodies. Institutions like the gram panchayats, municipalities and corporations have the responsibility of identifying the beneficiaries of the various pensions, receiving applications, processing them and distributing the money. The IGWNP and the IGNOAP (the Indira Gandhi National Old Age Pension), handled previously by the state's Revenue Department, are now looked after by the local bodies.

All the schemes are handled in electronic form through the software application Sevana (Social Security Pension) developed by the Information Kerala Mission. Details of the welfare pensions disbursed by the local bodies are available on the Sevana website. Pensioners can enter their pension ID for individual information. Pensioners have benefited through transparency and time-bound disbursement. It would be important to explore how widowed women are utilizing this online service and who assists the pensioners to put in their details online, in view of the fact that many may not have the necessary skills.

In Tamil Nadu too, the Village Administrative Officer or the Special Tehsildar handles applications for pensions, including the widow's pension, at the village level. The time limit for processing the applications is one month from the date of receiving the application.

names (job cards are normally issued to the family unit), the problem was brought to the notice of the government.

A circular was issued in 2009 to the district administration to ensure the provision of separate job cards for widows. Since then, in the case of a division of the family, widow and her children are considered an independent family unit and entitled to a separate job card, whether living with parents or in-laws. No supporting documents are needed to issue these separate job cards. This step resulted in a 10 to 15 per cent increase in MGNREGA employment for widows in the last three years.<sup>70</sup>

**Livelihood Schemes:** Some centrally sponsored economic empowerment

schemes such as Swavalamban operate through state partners, to set up employment and income generating training and production units for poor women between 18 and 50 years. Women who are heads of households or are the sole earners get preference under the programme.

Another central programme, Support to Training and Employment Programme for Women (STEP) enables women to take up income generating activities. Under the programme, residents of the Kerala's women welfare homes, for instance, are gaining income-generating skills in areas like embroidery, bag making and stationery production.

Special efforts are being made in some states like Rajasthan and Gujarat for income

<sup>70</sup> Shyam Lal Purohit, Head Resource Unit, Astha Sansthan

generating activities for widows. At INR 133 (equivalent to less than USD 3) per day, MGNREGA is the only livelihood option offered by the Rajasthan government to its rural population and is a significant source of earning for marginalized groups like widows. Some skill training is also available under the Rajasthan Livelihoods Mission with the State Livelihoods Development Corporation offering training to many categories of disadvantaged people, including widows.<sup>71</sup> It provides training in entrepreneurship for widows, between 18 and 40 years of age to make them self-reliant. From 2002-11, the state provided training to 123,684 widows in animal husbandry, vermi-culture, tailoring and computer literacy. On completing the training, the widows receive toolkits worth INR 5,000 (equivalent to approx. USD 100) to establish independent businesses. They are also introduced to banks for financial support. Every year about 10,000 widows receive such training.

## 2.4 Key Findings and Recommendations

### Key Findings

- **Policies are in place for the benefit of widows:** There are some national and state policies and programmes which the widows in India can access and take benefit from. The national level Indira Gandhi pension scheme is specifically intended for widows. Other than that there are other programs from which widows and other destitute women can benefit from. For instance, entitlement to ration card if they fall in the BPL category and nominally priced rice and wheat if they are the head of a BPL family (under the Antyodaya Anna Yojana). Old women, who are not receiving old age pension, can access free rice every month

under the Annapurna scheme, and under the Indira Gandhi Awas Yojana, they can access financial assistance for constructing a shelter. Other than these, there are certain state specific provisions for widows. Despite the existence of these schemes, however, the condition of widows in the country continues to be dismal.

- **The widows' pension scheme excludes many of the needy widows on the basis of age or income:** The National Pension scheme only applies to widows between the age of 40-59. This excludes the large number of young widows, many of whom are single parents to young children and therefore in need of greater assistance. Many of the benefits listed above are intended for those who are below poverty line; widows can thus lose their entitlement to these if they rise above poverty line.
- **Accessing entitlements remains a challenge for a majority of eligible widows:** Many of the widows in India are unaware of the benefits they are entitled to. Even those who are aware of the policies do not know how to avail them. Since most of the widows entitled for the schemes are illiterate, and experience social stigma from the community as well as their families, obtaining the required documents (like birth and death certificates, proof of residence required to access programmes, etc.) is difficult for them, and limits their access to schemes. Financial illiteracy and social oppression makes even routine tasks like visiting the district offices and opening bank accounts arduous for them.
- **Lack of uniformity on the state component of the pension scheme:** For the national widow pension scheme, the funds are shared by the central and the state government. But in the absence

<sup>71</sup> Gujarat members of ENSS

of any standardization or any minimum criteria for the state component, a wide variation is observed between the states— as much as 1.5 USD to 16 USD per widow.

- **Livelihood opportunities for widows remain a challenge:** Skill development programmes currently focus on younger women, including widows, excluding older women. In Vrindavan for example, most of the older widows resort to begging, or to chanting bhajans in ashrams for a small remuneration.

Further, widows working in government offices too experience various discriminatory practices. In many of the states, widows can lose their government jobs if they remarry. In teaching jobs reserved for widows in Rajasthan, the widow has to give a written declaration that she will not remarry for at least five years.

- **Delayed and inconsistent disbursement of funds adds to implementation gaps:** Lack of coordination between central government and state governments, as well as between different departments of the Government causes inefficient disbursement of funds. This leads to irregular disbursement of pensions and inadequate coverage of beneficiaries. Some state governments, citing lack of funds, often resort to prioritising beneficiaries during fund disbursement.
- **Added exclusion faced by minority widows in a country where widows' is often synonymous with Hindu widows:** The policies and benefits for the widows in India are often not sensitive to the special socio-cultural context and therefore different needs of the minority (e.g., Muslims and Christians) widows in the country. For example, with the prevalence of polygamy amongst Muslims, access to widow pension or entitlement to property becomes a

complex issue with the presence of multiple beneficiaries (wives). Also, often Muslim widows face greater restriction of movement, furthering hindering their access to schemes.

- **Lack of analytical data and monitoring mechanisms:** Although, the census provides us with quantitative data, in the absence of analytical data, there is a lack of adequate understanding of the needs of the beneficiaries, and the actual processes and gaps in place with respect to the implementation of policies. No monitoring mechanisms are in place to check and ensure effective disbursement and utilization of NSAP funds by states.
- **Continued exploitation of widows at all fronts:** The widows continue to face various forms of exploitation (financial as well as social), further aggravated by their illiteracy and lack of awareness. The NALSA survey on widows living in Vrindavan revealed that almost all were victims of financial exploitation. Many complained of a misuse of their thumb prints so that third parties can withdraw money from the widow's pension accounts. A large number of migrant widows in Vrindavan beg to make ends meet.

## Key Recommendations

- **More inclusive policies:** The present policies need to be broadened to include all age and income groups amongst the widows. Also, discriminatory clauses from some of the schemes should be reviewed and removed. Widow remarriage policies should be revisited and discriminatory clauses including those that discourage remarriage, should be dropped. Moreover, Widow Empowerment programmes should be sensitive to the needs of different socio-cultural groups and cater to the minority communities.

- **Decentralization of system and simplification of the process:** Systems should be decentralized to make it easier for widows to obtain all the necessary documents like identity proof, BPL card, Antyodaya card, ration card, death and birth certificate, so that they can access relevant programmes. Also, efforts should be taken to ensure that procedural complexity is not a hindrance to access to schemes. The application process for the various schemes and benefits needs to be simplified to allow women to access their entitlements within a short time.
- **Greater integration of various services:** The systems in place should be integrated at various levels. Firstly, a convergence between different government departments is required to enable adequate implementation of policies. There should be greater partnerships between the government, civil society and coalitions of widows, so that they can support each other for greater benefit to the widows, instead of working in isolation or in conflict with each other.
- **Effort to enhance livelihood opportunities of widows:** There should be a Livelihood Mission specifically developed for widows. The Skill Development Mission as well as civil society organizations engaged in providing skill training for the emerging job markets should include widows. Further, skill and livelihood development programmes should be available to both young and old widows.
- **Need for analytical data:** There is a need for analytical and qualitative data to understand not just the number of widows accessing the schemes, but also the reason for the gaps, the ground level processes and limitations that underplay such schemes. Needs-assessment investigation should be held regularly for age appropriate skill and job development of widows.



# **CHAPTER THREE**

## **WIDOWS IN NEPAL**

Nepal has a population of 26.49 million,<sup>72</sup> and features an enormous geographic and ethnic diversity. It has 125 documented languages, with six major ones. According to the Multidimensional Poverty Index, developed by the Oxford Poverty and Human Development Initiative (OPHI) and the United Nations Development Programme, 64.7 per cent of Nepal's population is considered poor.<sup>73</sup>

The country is divided into 75 administrative districts. Each district is further divided into village development committees (VDCs) to look after the rural areas; municipalities administer the urban areas.

About 83 per cent of its population lives in the rural areas, which have borne the brunt of a decade long internecine conflict, which finally ended in 2006 after the signing of the Comprehensive Peace Accord. Nepal, which was a monarchy for 240 years before becoming a republic in 2008, was placed 157th out of 187 countries in the 2011 Human Development Index (HDI).

A fundamental cause of vulnerability is discrimination based on gender. Women have long been perceived as inferior to men and subjected to discrimination on multiple levels.<sup>74</sup> The value attached to ideals of

## EMERGING OUT OF THE SHADOWS

Rita Giri was pregnant with her second child when her husband was shot dead by Maoists in her house in Bara district in Nepal. Rita, only 22 then, collapsed and had to be admitted to the hospital. Villagers were so terrorized that her husband, a former policeman, could be cremated only after three days.

Rita was still reeling under the tragedy when her relatives, including her father, demanded her to abort her unborn child. When Rita refused, she was thrown out the house.

Devastated, Rita was forced to live in a rented accommodation. Having being denied government compensation for the killing of her husband by Maoists, on the grounds that he had left his job as a policeman without informing them, Rita was left with no other option but to sell her only piece of jewelry. When this money ran out, Rita tried to get a job. But having never gone to school and being married off at the age of 17 meant she had limited skills.

As a result, over the past seven years, Rita, now 29-years old, has been eking out a living by knitting and selling woolen caps. But the meager monthly earning of 600 Nepali Rupees (NPR) meant a hand-to-mouth existence for her two children who are aged eight and six.

Did Rita need to live this life of deprivation? Had Rita gone to school and not been married before the legal age, perhaps, she would not have been a bride at 17 and a widow at 22. Better implementation of laws and access to policies and programmes meant for protection and support to widows would have made her life easier and dignified.

72 National Population and Housing Census, Central Bureau of Statistics, Government of Nepal, 2011

73 Oxford Poverty and Human Development Initiative (OPHI), 2011

74 Discriminatory Laws Against Women, Dalits, Ethnicity, Religious and Persons with Disability, Forum for Women, Law and Development (FWLD), 2009



purity amongst Hindus, and particularly to women's chastity, is manifested through a number of cultural practices including early marriage, dowry, *chaupadi*<sup>75</sup> and the stigmatization of widowhood.<sup>76</sup>

Traditionally, most Nepalese women and girls have been restricted to the domestic sphere, and are therefore often denied access to education, economic independence, political participation and adequate healthcare. In some parts of Nepal, *chaupadi* is still practiced.<sup>77</sup>

The Gender Inequality Index (GII)<sup>78</sup>, which reflects gender-based inequalities in three dimensions, namely reproductive health, empowerment, and economic activity, has placed Nepal at 113 out of 146 countries.<sup>79</sup> A review of secondary data comprising government programme documents and research revealed that women in Nepal have lower status than men and factors

75 In some parts of Nepal, the practice of excluding women from their homes and forcing them to live in a Cowshed or other outhouse for the duration of their menstrual cycle is still practiced.

76 Not only women whose husbands have died suffer this stigmatization, but also those whose husbands who have been forcibly disappeared or left the country in search of economic opportunities.

77 Discriminatory Laws Against Women, Dalits, Ethnicity, Religious and Persons with Disability, Forum for Women, Law and Development (FWLD), 2009.

78 Gender inequality index uses three dimensions to measure gender disparity: reproductive health, empowerment, and labour market participation.

79 Gender Inequality Index, 2012

such as age, caste, class, religion, ethnicity or geographic location determine their degree of deprivation. Thus, while the overall life expectancy of women in Nepal is about 66 years, it is 59 and 63 in the less developed Mid-Western Region (MWR) and the Far-Western Region (FWR), respectively.

The Gender-related Development Index shows that gender disparity is high overall, but highest in rural areas, the mountains, and the Mid-Western region. Dalit women from the Terai belt have the lowest literacy rate at 17 per cent, compared to the national female average of 55 per cent and male average of 81 per cent. Figures show that of the 7.6 million illiterate Nepalese, 67 per cent are women.<sup>80</sup>

## THE DEADLY FACE OF STIGMA

On January 17, 2012, 80 kilometers southwest of Nepal's capital city, Kathmandu, Dhengani Mahato, a 40 year old widow, was burnt alive after being accused of witchcraft. Dhengani had been living in Chitwan with her 10 year old son and 8 year old daughter after her husband had died of cancer seven years ago. Dhengani was attacked and set on fire by her brother-in-law, Bikana Mahato and others, after having being accused of casting a spell to make one of her relatives sick. Even as neighbours watched, Dhengani was beaten with sticks and rocks before being doused with kerosene and set afire. Nobody came to rescue Dhengani while she was being tortured.

Source: <http://www.businessinsider.in/Nepal-Jails-Mob-For-Burning-Suspected-Witch-Alive/articleshow/21478333.cms>

80 Education for All Monitoring Report, UNESCO, 2011

### **Deeply entrenched discriminatory attitudes:**

Women face various forms of discrimination because of patriarchal norms and values, and are further disadvantaged based on their caste, ethnicity and geographic locations. Low self-esteem and lack of education exacerbates their marginalization.

In addition, violence against women and girls and early marriage remain a pervasive problem, and women remain under-represented in positions of decision-making and leadership, particularly those belonging to the socially marginalized groups like Dalits.<sup>81</sup>

Widows face even greater stigma and discrimination under the prevailing patriarchal system. Cultural practices contribute significantly to the violation of women's rights. Sometimes societal prejudices can have fatal consequences.

## **3.1 Policies and Programmes for Widows/Single Women**

There has been a concerted effort by Nepal to develop policies and programmes to address some of the deep-rooted and highly institutionalized patriarchal norms. Directives have been issued by the Supreme Court to the Nepal Government to take measures to eliminate and regulate practices like witch hunting.<sup>82</sup>

**Pension:** At the time of this research, there was only one government programme for widows. This is the social security programme for pensions, also called the social security

allowance. Nepal started to provide pensions of 100 Nepalese Rupees (NPR) for all elderly citizens aged 75 or older in 1994. In 1996-97, the government introduced an additional social security programme called the Helpless Widows Allowance for widows above 60 years of age.

In 2008, the amount was increased to 500NPR and the age limit for old age pensions was lowered to 70. Additionally, all single women (widows, divorced and unmarried) aged 60 and above were deemed eligible for the entitlement. In 2011, the pension of 500 NPR or (equivalent to approx.6 USD) became available to all widows regardless of age.

**Other gender-specific Programmes:** While there is only one scheme specific catering to widows, the government has put in place many other policies and programmes for single women. These include the following:

- The 2006 Gender Equality Bill gives equal inheritance rights to women, allowing them to live independently of their husband's family after his death, and criminalizes domestic and sexual violence.
- The Ministry of Women, Children and Social Welfare has approved the establishment of a Single Women Emergency Fund on 5 June 2013. This is the first time such an allocation of funds has taken place for single women.<sup>83</sup> A committee to ensure the effective working of this trust fund has been set up under the Secretary of the Ministry.
- The issues of single women have been incorporated in the 10<sup>th</sup> and 11<sup>th</sup> Five-Year Plans and also in the Three-Year Interim Plan of Nepal.

81 Concluding Observations of the Committee on the Elimination of Violence against Women, CEDAW, 2011

82 Cases include: Meera Dhungana (FWLD) vs. HMG/ Nepal. Writ No. 131 D.D. 14/12/2006 (2063/8/28). 1976; Reshma Thapa et al vs. HMG Nepal. Writ no. 2891/2058, D.D. 2061-4.26. The Supreme Court issued orders to criminalise the act of making allegations of witchcraft.

83 Progress of Women for Human Rights at National and International Level

- The government has drafted a separate National Policy and Programme for single women. Under this, concessional loans are provided, without the requirement of collaterals, to cooperatives operated by single women, for trainings in skill development and empowerment activities involving single women through the local government.
- The government launched its National Action Plan (NAP) for the implementation of UN Security Council Resolutions 1325 and 1820 in February 2011 to address specific needs of women and girls in the design and implementation of all relief and recovery programmes
- Other NAPs focus on ending Gender-based Violence (GBV), implementation of the Convention on the Elimination of All Kinds of Discrimination against Women (CEDAW), Gender Equality and Empowerment of Women and Local Peace Committees. These programmes promote school enrolment, provide scholarships to conflict-affected children, equip women with income generating skills, promote their reproductive health and all other rights- human, civil, constitutional and legal for rural, marginalized and destitute women.
- A 33 per cent participation of women in all the state mechanisms under the Local Self Governance Act was mandated by a resolution of Parliament in 1999.
- The 2009 Gender Equality and Social Inclusion Policy of the Ministry of Local Development specifies that at least 10 per cent of the Village Development Grant should be spent on programmes directly related to women.
- Under the National Action Plan for Widows, gender focal points have been constituted in sectoral ministries to support skills development of single women. It is mandatory for women to be involved in the formulation and implementation of local development programmes.
- A gender responsive budgeting mechanism has been set up in the Ministry of Finance

### A PROPOSED NEW SCHEME

A Single Women's Security Service Fund is planned to facilitate vocational training for single women and widows, especially those from rural areas who face problems due to illiteracy, poverty and lack of marketable skills. The Fund, which will provide for the education and health needs of single women, will be managed by a high powered committee headed by the Secretary of the Ministry of Women, Child and Social Welfare (MWCSW), along with representatives from the Ministry of Finance, the Prime Minister's office, the police department and two NGOs.

"Divorcees, widows, unmarried women above 35 years, women whose husbands have been missing, and those who have been separated from their husband for three years will be eligible for this support," said Mr Sher Jung Karki, Under-Secretary and Chief of the legal section of MWCSW.

## 3.2 Gaps in Implementation

**Paucity of Data:** The census recorded a total of 498,606 widows in 2011 as against 161,231 widowers. 416,269 widows live in rural areas as against 82,337 in urban areas.<sup>84</sup> After India, Nepal became the second country in South Asia to include widows as a category in its census enumeration. However, data is still lacking on the number of child widows or *Vaikalyas*.

**Social Barriers:** Although the Gender Equality Act has amended several pieces of legislations to be more gender sensitive, the dominance of social and customary laws and the overarching patriarchal system has stalled real empowerment. Discriminatory practices against women continue to exist in the areas of citizenship, property rights, health and employment. Weak implementation of laws has further exacerbated the situation for the already marginalized widows.

The custom of divesting widows of all embellishment is so deep rooted that even educated and urban widows are hesitant to break this tradition. Even though Women for Human Rights has been campaigning for the past 10 years for colourful clothing instead of the traditional white attire, WHR founder Lily Thapa did not dare to wear red clothes or a *bindi* (the red vermilion dot worn by women on the forehead, both regarded as symbols of marital status), in the presence of her deceased husband's family until about five years ago.

A study by Women for Human Rights found that *Vaikalyas* are often deprived of basic human rights, such as regular meals, clothing, access to education, and freedom

of movement. In 2009, the NGO filed a writ in the Supreme Court highlighting their conditions. In May 2012, the Supreme Court directed the Ministry of Women, Children and Social Welfare to collect data on the number and status of *Vaikalyas*.

**Lack of accountability:** The assessment of the social security programme in May 2012, by the government's National Planning Commission (NPC), stated there was a lack of clarity in policies regarding the programmes. It pointed out that since the scheme was linked with social protection, there was a problem in determining state accountability.

**Multiplicity of agencies involved in delivering development and empowerment programmes:** With the responsibility of implementation divided among various agencies, accountability became a problem. For example, the Ministry of Women, Children and Social Welfare (MWCSW) is the key ministry for the promotion of gender equality and women's empowerment. It also coordinates initiatives related to children and social welfare (which includes the elderly and disabled people). The Department of Women Development under the MWCSW looks after women's and children's programmes and implements them through its Women Development Offices, which are the key gender focal points in the districts.

However, it is the Ministry of Local Development, which administers the old age pensions. The social security allowances are distributed by the ward offices in the urban areas and by the Village Development Committees (VDCs) in the rural areas. So although the MWCSW has the overall mandate for social welfare issues, current social protection programmes are implemented by the Ministry of Local Development through the VDCs.

---

84 National Population and Housing Census, Central Bureau of Statistics, Government of Nepal, 2011. Table 18: Population aged 10 years and over by marital status and sex.

## DRESSING LIKE A MAN

45 year old Ganesh GC, a single woman from Dhading, Nepal, was able to buy a truck thanks to the government laws that facilitate access to loans for single women. But societal perceptions about single women taking up a 'man's job' prompted her to change her name to that of her husband's. She also began to dress like a man.

Her courage in adopting this 'man's job' and continuing to drive her truck fearlessly to earn a living has been lauded by the Dhading single women group. They felicitated her at public function in 2012. Her story raises important issues of hardships faced by single women.

*"This has created a situation where some tend to benefit, while some get left out as quality service delivery has not been achieved"* said the Joint Secretary, National Planning Commission, Nepal. He stated that the local bodies were not inclined to implement the programme probably because of limited human resource.

He also pointed out that determining how many women were actually benefiting was a challenge. *"Social security programmes are not monitored effectively. We face some difficulty in getting updated statements and evaluating the benefits received,"* he said.

### **Complex and time consuming procedures:**

The NPC study revealed that since procedurally all applications received had to be screened by a Local Identity Card Recommendation Committee, the absence of such committees in many VDCs and municipalities created problems. Moreover, wherever such committees had been formed, the registration process was quite lengthy. It is only after the list of eligible beneficiaries has been sent to the district development committee (DDCs) and forwarded to the Ministry of Local Development (MoLD), that the eligible beneficiaries are issued ID cards. They then receive their allowance from the following fiscal year. As this takes place once a year,

an eligible candidate has to wait for a year to register. The absence of a photo studio in the vicinity for taking photographs also poses a logistical challenge in the registration process.

The NPC study also found that on an average, an applicant walked about 52 minutes to get to the allowance distribution point. In some cases, this was as high as 3.5 hours. The beneficiaries had to wait at the office, on an average for about 52 minutes and at times, even up to 8 hours. Not only was it difficult for the older widows to walk so far to collect the allowance, it was also physically debilitating to wait for long hours.

**Inadequate allowance:** During the focus group discussions with widows in Nepal, many of them complained that the allowance was inadequate to meet their basic household expenditures. For many, this was the only source of income, and considering the rising levels of inflation, this amount was insufficient. This was also pointed out in the NPC study.

**Delay in disbursement of allowance:** The delay in the distribution of the allowance was another concern raised during the FGDs as well as in the NPC study. Widows pointed out that although guidelines stipulated that

the allowance should be distributed every four months, it does not reach them in time, even when the funds have been released by the DDC to the VDC on time.

**The issue of citizenship cards:** Unless a widow has a citizenship card, she cannot access any programme.<sup>85</sup> According to women's groups like WHR, most widows are unaware of the importance of citizenship certificates and therefore don't apply for one. This card, along with their marriage certificate and the husband's death certificate, is required for any widow to access her entitlements, particularly the pension.

Since no disaggregated data is available, the exact number of widows without citizenship certificates is not known. Nepalese nationals may apply for a citizenship certificate, a formal proof of their status as citizens, once they become a 'major' at the age of 16 years. The Citizenship Act requires that all individuals provide the citizenship certificate of their mother or father, their relationship to their mother or father, and proof of birth in Nepal.

These requirements alone may create significant barriers. Navigating the complex application procedures is difficult for many widows, particularly as she may lack the money needed for the necessary application fees and photos. Her inability to reach the necessary government offices and the lack of supporting documentation required for the application, adds to the problem, particularly for persons from isolated regions.

In Nepal, widows who do not have a citizenship card can ask their in-laws to prove they are Nepalese citizens through an affidavit. However, widows can experience difficulty in securing the cooperation of

## BORN IN NEPAL, STILL NOT A CITIZEN

Twenty three year old Lila Vujel is a widow with two young daughters. Being uneducated, she was not aware of the importance of acquiring a citizenship card. Since she did not acquire a card before the death of her husband and her parents, her two children will, as a result, not have a legal identity either. The lack of a citizenship card means, that the person is ineligible for acquiring a driving license, for opening a bank account, for pursuing higher education and for carrying out legal transactions.

Fortunately Lila, a WHR member, is being assisted in claiming a citizenship card. But for many widows, who are not part of any support group, obtaining this card remains difficult.

their husbands or their families in applying for citizenship documents.

**Impact on Land Rights:** The lack of citizenship impacts the land rights of widows. Although the Citizenship Act 2006 grants citizenship without proof of landownership, to obtain a land certificate, an individual is required to produce a citizenship certificate or a recommendation from the local VDC.<sup>86</sup>

Land distribution is unequal from the social and gender perspective. The Ministry of Land Reform and Management (MLRM) has acknowledged that 'people from socially and economically disadvantaged groups,

85 Widows' statement during FGDs, 2012

86 Lily Thapa, WHR, 2012



which include, women, Dalits, indigenous and vulnerable groups, are the most affected by this inequality'.<sup>87</sup>

**Low birth-registration:** Another problem is the lack of importance given to registering births. Since birth registration of children is required to establish the child's legal identity, many children without birth registration and citizenship certificates are unable to access entitlements. Only about 35 per cent of children are registered at birth in Nepal, and this percentage is lower among children from marginalized groups.<sup>88</sup>

**Conflict-affected widows face dual trauma:**

Forced displacement due to conflict has led to the disintegration of families, loss of land, property and other means of livelihoods, exacerbating their existing problems with added challenges. Widows face difficulties in reintegrating and reclaiming their property because they lack legal documentation and are denied their inheritances.<sup>89</sup> The social stigma associated with widowhood heightens their social exclusion, particularly for women whose husbands disappeared during the conflict. Further, the extent of mental health problems suffered by conflict-affected women, including those who are displaced, remains largely unknown and unaddressed. For example, multiple discriminations hinder not just efforts of widows to get on with their lives, but may lead to malnutrition or other health conditions caused by inadequate living standards during or following internal displacement.

The impact on mental health in situations of conflict worldwide has been recognized by the UN Special Rapporteur on Torture, the UN Working Group on Enforced or

**“We’re excluded in cultural functions from worshipping and from participating in last rites ceremonies. My husband disappeared. When we leave the house, we’re accused of going out to enjoy ourselves. When women leave the house it is perceived in a suspicious way.”**

(Source: Across the Lines: The Impact of Conflict on Nepal's Women)

Involuntary Disappearances, as well as the UN Human Rights Committee, in cases under the Optional Protocol to the ICCPR.<sup>90</sup>

In 2008, the Committee on Economic, Social and Cultural Rights noted that a significant proportion of Nepal's population continues to have limited or no access to health care services. The Committee also highlighted the lack of information on the extent of mental health problems among those affected by the conflict, and urged the government to accord high priority to mental health services in this regard.<sup>91</sup>

**Living in poverty:** In 2010, a survey conducted by Women for Human Rights showed that among 800 displaced widows in Kathmandu, 83 per cent were living in poverty. They lived in single rooms with three or four children, without adequate access to clean water and sanitation facilities, facing a daily struggle to provide for themselves and their children. Displaced widows have often been unable to access government assistance or compensation

87 Vision Paper, Ministry of Land Reform and Management Nepal, 2011

88 Asian Development Bank Annual Report, 2010

89 Across the Lines: The Impact of Nepal's Conflict on Women, Advocacy Forum Nepal and International Center for Transitional Justice (ICTJ), 2010

90 International Covenant on Civil and Political Rights, ICCPR

91 CESCR, Concluding Observations on Nepal's Second Periodic Report, January 2008

schemes due to their inability to return to home districts for registration, which is one of the prerequisites.

WHR found that while some widows whose husbands were killed by the Maoists had received compensation, those whose husbands had died as a result of action by state security forces, often received nothing.

### **Conflict-affected widows awaiting entitlements:**

Although support to the displaced through the Nepal Peace Trust Fund (NPTF), a programme established by the government in February 2007, through the Ministry of Peace and Reconstruction's Special Programme for Relief and Rehabilitation for the internally displaced persons (IDPs), began in September 2007, much of the promised assistance has failed to reach them even after six years. Of its total IDP budget of 370 million NPR, the government has only managed to spend NPR 241 million, identifying "complexities to communicate with the IDPs at the local level" as the main obstacle to its full implementation.<sup>92</sup> A senior official the Ministry of Peace and Reconstruction, conceded that there were gaps in implementation. He said that the monetary compensation of NPR 325,000 and entitlements like free healthcare and free education for three children up to the age of 18, had not reached many of the women whose husbands had disappeared or were missing as a consequence of the conflict. Although, women development officers were deputed in all districts, to ensure widows were able to access their entitlements, gaps remained.

He said there were 9000 women who had been widowed due to the long conflict in Nepal. The Ministry was mulling over on

how to provide them with a better life, he said.

**Collective engagement brings results:** Just as the civil society's engagement with government on the issues of widows led to their inclusion in the census, the collective voice of widows also facilitated changes in several discriminatory provisions in law and policies. The sustained lobbying by women's groups, including WHR, against the discriminatory policy of providing pension only to widows above the age of 60, resulted in the removal of the age barrier in 2011, thereby opening the social security allowance programme to all widows, irrespective of age.

The women's movement was able to persuade the government to amend several other discriminatory policies. According to Lily Thapa, founder of Women for Human Rights, they were able to advocate for milestone changes, such as sending the practice of returning property inherited by the wife after her husband's death to his family upon remarriage.

Other changes related to the lobbying efforts of civil society are as follows:

- Withdrawal of the clause which required widows to seek the consent of their adult sons and unmarried daughters to sell property or hand over ownership to someone else;
- Widows do no longer have to wait to reach the age of 35 to inherit the deceased husband's property;
- Widows are no longer required to remain chaste to their deceased husbands in order to inherit property;
- Widows no longer need to ask for permission of a male family member to obtain a passport.

---

92 Nepal Peace Trust Fund, January 2012. In: Unresolved Property Issues and IDP Policy Hiatus undermine Search for Durable Solutions, Internal Displacement Monitoring Centre, 2012

## BORN FROM THE ASHES OF DISCRIMINATION

When she became a widow at the age of 29, much to her dismay even the urban educated Lily Thapa had to undergo all the associated rituals. She had to cut her long hair, wear white clothes and was not allowed to wear any jewellery including her nose ring. “I was finding it difficult to take out my nose ring. Instead of letting it remain, a man was ready to cut it out with a knife. I was horrified. I was still mourning the loss of my husband and had to face the additional torment of my family. My nose ring was wrenched out unmindful of the physical and mental pain. The life of a Nepalese widow, I realized, was inhuman,” recounted Lily.

“This is why I gathered enough courage to start a movement to support women who lose their husbands. When I started out, there were many female groups fighting for women’s rights but they had not really taken up the issue of discrimination against widows. So a group of us, all widows, got together to talk about our concerns and how we could face the future. At the beginning, we just hugged each other and cried,” said Lily.

After the emotional catharsis, they got down to identifying ways to tackle the problems. Thus, WHR was born. Interestingly, all WHR board members are widows.

### 3.3 Good Practices

#### **Economic Empowerment through Government Partnership**

Life has changed for many single women through economic empowerment programmes initiated by WHR in collaboration with the government. In addition to implementing income generating schemes like Aadhar, which is a cooperative that also offers a saving and micro-credit programme, providing loans to many single women to start small-scale businesses to sustain themselves and their families, WHR also links them to economic schemes of the government.

The Chhahari, which means safe space, is an initiative started by WHR with the help of the government to support vulnerable single women. The civil society-government cooperation has been critical in getting land to construct Chhahari (shelters). Until the end of 2012, Chhaharis had been

constructed in seven districts on land leased by the government.

This collaboration has helped rehabilitate single women, and provide them with livelihood skills and opportunities to work. It has reintegrated them in their communities to live a life of dignity. This can be seen in Kathmandu, where the Chhahari also houses a catering service which employs over 100 single women preparing packed meals on orders.

In the other districts, Chhaharis have been built near wastelands so that they can be cultivated and profits of the crop harvested can be shared among the women. The wastelands in Kavrepalanchok (Kavre) district were among the first to be converted into an orange and vegetable field. After they got 70 acres of land on lease from the government in Kavre, a hilly area about 30 km from Kathmandu in 2010, WHR provided a loan of NPR 700,000 to the single women’s group for agriculture farming. Sixty per cent

## REBUILDING A NEW LIFE

Eleven years ago, when political unrest in Nepal forced 18 year old Rani to drop out of school after class 10, her parents decided to get her married. Blessed with a daughter a year after her marriage, a blissful Rani was leading a happy life with her 21 year old husband, a college student. Little did she know that her whole life was about to take a devastating turn.

One day, while the family was sitting together drinking tea, Maoists knocked at their door. They dragged her husband out of the house and suspecting him to be a government informer, began to beat him. So severe was the torture that despite hospitalization, he died after seven days. Rani was just 21 and her daughter, two years old.

A traumatized Rani was still reeling under this blow when she got her second shock. Her in-laws decided to take custody of her daughter. They also took half of the sum of three lakh NR given by the government as compensation for the killing of her husband.

It was around this time that Lily Thapa and WHR general secretary Nirmala Dhungana were conducting their survey of widows in Nepalganj. Rani was informed about WHR and advised to come for skill training which would enable her to become economically independent.

Rani followed their advice and since then, her life has changed. Not only did she learn to drive a scooter but also improved her culinary and tailoring skills. WHR employed her to teach tailoring and later gave her the responsibility of cooking lunches provided by the WHR's Chhahari unit in Kathmandu. Her earnings improved from NPR 2000 to 8000 a month.

Although she received counseling from WHR and is happy with the way her life has turned out, the scars have not healed completely. There are moments when she is unable to control her tears, haunted by memories of the painful incident.

This is one of the reasons why she hasn't accessed her entitlement of NR 500 a month as social security allowance, because she would have to return to Nepalganj to claim it. She could have claimed it in Kathmandu had she had a migration certificate. But even to get that she will have to travel to her village in Nepalganj. Till she is able to take that decision, Rani is keeping herself engaged in working towards her dream of opening her own restaurant.

of the profit received from this goes directly to these women. This economic model has helped to build ownership of the farming programme among the women and made it sustainable.

*"In a Hindu society like Nepal, widows are seen as a bad omen. They are victimized*

*and tortured. We campaigned to break this stereotypical image associated with a widow. One of our biggest achievements was the change in terminology replacing the term 'widow' with 'single women' through a national declaration. But unfortunately, incidents of witch hunting show that we have not managed to change the mindset*

*of all our people,”* said Lily Thapa, founder of Women for Human Rights (WHR).

### 3.4 Key Findings and Recommendations

#### Key Findings

▪ **Widows in Nepal- a double burden:**

Women in Nepal face multiple hardships due to a variety of factors including religious, societal and cultural traditions and beliefs. Their situation is complicated by difficult geography and economic trends. For instance, health services for women are restricted particularly in rural and remote areas due to poor infrastructure and a shortage of qualified staff. And as migrant spouses travel to and from India, women are left vulnerable to HIV/AIDS which is emerging as a major health concern.

Unfortunately the difficulties faced by women in Nepal are multiplied in the case of widows. It is difficult to find all necessary data on widows in Nepal. For instance, there are no reliable statistics on how many widows live below the poverty line, how many receive pension and the number of child widows in the country. However, the available indicators and case studies confirm that widows live in highly precarious conditions and face stigma, isolation, neglect, discrimination, physical violence and other forms of abuse. Poor treatment of widows in Nepal is multi-dimensional and reaches all aspects of their lives, from their livelihoods, and land ownership rights to the way they dress.

- **Unfair treatment, rooted in gender discrimination reflects in social norms as well as relief policies:** Unfortunately, efforts to help them have largely been

disparate and ineffective. In some cases, practices remain blatantly discriminatory and unfair towards widows. For example wives of victims who have died during conflict are entitled to subsistence allowance and educational scholarships, the wives of those who have disappeared do not receive the same benefits. In addition, the Interim Relief Scheme is discriminatory against single women who choose to remarry. While a husband can claim interim relief, if he chooses to remarry, a widow cannot.

- **Implementation gaps persist:** In other cases, well-meaning laws and policies have been created or amended to improve the lives of widows, however as Nepal passes through a stage of political transition implementation and accountability in this domain has been very challenging. In general, service delivery of schemes and programmes such as social security was found to be lacking due to challenges of coordination and convergence between institutions. No simplified, systematic government mechanism exists and the vast geographical spread of the population leads to unequal coverage and high levels of exclusion. While some income generating schemes through provision of loans and micro credit exist, budget allocation and disbursement was found to be problematic. Although Nepal has guaranteed equal inheritance rights for widows, religious and societal norms continue to dominate and overpower these laws to deprive widows of important entitlements.

- **Positive signs of change are discernible:** Civil society engagement with government has helped to link widows (single women) with training on legal rights and skill development. By joining together, women are able to access

their rights and entitlements as well as engage the government to include their issues in the policies and programmes of the country. Some positive stories can be highlighted in the struggle to end discrimination and unfair treatment. The ‘Red Colour’ campaign initiated by WHR to raise awareness and break traditional and discriminatory practices has managed to convince 80,000 members in 73 districts to break the oppressive white attire code. By challenging these unfair customs, these empowered widows are helping to bring about a change in the mindsets of families and in-laws of other widows, and societies at large. However, for large scale, sustainable changes, a strong political will and empathetic bureaucracy are key to the empowerment of widows in Nepal.

## Key Recommendations

Recommendations for Nepal, as emerging from this study can be summarized in the three main categories- effective implementation, reconsideration/ modification of the approach, and creation/ adoption of new approach.

- **Effective implementation of existing programmes:** Some existing policies and programmes are conceptually sound but need more proactive implementation. For instance, relevant documents required by widows for accessing entitlements should be provided without delays. Also, there is a need to enhance access to citizenship certificates and to increase awareness on the importance of securing legal identity and citizenship documents.

One improvement which could make the preceding recommendations more feasible is a greater synergy between

different stakeholders e.g. government and non-governmental organizations. Different stakeholders can come together to greatly increase the outreach and effective implementation of existing programmes, schemes and policies for example, to improve on justice delivery. Widows need to know where and whom to approach, the procedures that need to be followed and the information that needs to be furnished in order to ensure that justice is achieved.

There is also a need for greater transparency in the implementation of programmes. This could be achieved by reporting the final results of the implementation of each plan to the Parliament/Constituent Assembly.

- **Reconsideration/modification of the approach:** Some existing needs and programmes need to be reviewed in view of specific vulnerabilities of widows. Rather than disparate entities providing support through complicated structures, a single window system is needed to converge services of different departments to provide widows with seamless access to entitlements for pensions, health and compensation. The remarriage scheme is one element that deserves attention and innovative thinking. For instance, if government was willing to pay NPR 50,000 for the remarriage of a widow, women’s groups could lobby for the amount to be invested in property, land or business in joint names. The rehabilitation of conflict-affected widows is another area that has received inadequate attention. In addition to problems of being widows, conflict—affected widows are even more vulnerable to mental health problems that need to be addressed so that they can rebuild their lives.

The current Interim Relief Scheme also needs to be reviewed in order to eliminate any discriminatory aspects, particularly in relation to victims of sexual violence and single women. Finally, a specific focus is needed to ensure that gender specific policies and procedures are integral to all active and future commissions. This includes the work as well as the staffing and practices.

■ **New ideas, emerging from collaborative actions need to continue and strengthen:**

Going forward, it is important to plug gaps in existing programmes and policies. For example, appropriate skills development programmes need to be designed and employment opportunities for widows provided so they can become economically independent. Focus can be placed on certain groups such as women of reproductive age or adolescent girls. Support structures known as Chhahari's illustrate the impact of the provision of sustainable income generating activities. Other good practices such as the WHR scheme to train 'sahayogisaathis' or social mobilizers, para-legal volunteers and para-counsellors to be deputed to underdeveloped regions can also be highly effective.

Other good practices observed in neighboring countries, especially with regard to continuity of pension or at least partial pension upon remarriage; offering job in place of deceased husband, as in India etc can also be considered

Additionally, land records (including maps) which were destroyed in some districts during the conflict need to be restored. A pilot programme conducted in Achham district by the Ministry of Land Reform and Management, with financial and technical support from the UN Peace Fund for Nepal and the Food and Agriculture Organization, provides a model for scale-up in other districts. The local peace committees need to be empowered to engage in the land reform initiative in conjunction with transitional justice programmes. Finally, concerning violence against women- evidence—based research needs to be conducted to assess the impact of violence against women. In addition, VAW needs to be included in the list of crimes that can be prosecuted under the State Cases Act.

# **CHAPTER FOUR**

## **WIDOWS IN SRI LANKA**



## RAVAGED BY CIVIL CONFLICT

Sivalingam Arasamma from Batticaloa lost her husband Udayakumar in 1990. He disappeared during the conflict. She was 28 years at that time and he was 30. She assumed the responsibility of bringing up their three young children on her own. Initially, she worked as a domestic help and then joined a cooperative in making bamboo artifacts.

“Despite all my hard work and attempts to lead a dignified life, the stigma of being a widow stayed with me”, says Arasamma. Even when she went abroad, people looked down on her.

Finally at 50, with her three children married and well settled, she has come to terms with her life. She was even able to send her son abroad for studies. Her children now protect her from public humiliation and barbs.

Arasamma was chosen to be a part of the UN Women’s widow empowerment project in 2012 by the Women’s Education and Research Centre (WERC), a non-governmental organization working for women. Today, she helps other disadvantaged women access their entitlements by accompanying them to the government secretariat and assisting them to fill relevant forms.

**S**ri Lanka is an island nation with an estimated population of 2,0483,000.<sup>93</sup> As in other countries of South Asia, women marry very young and during the long years of armed conflict, many became widows at an early age. The total number of widows in the country, as per the 2001 census is 549,594 (i.e. nearly 3.2% of the population at the time of census).<sup>94</sup> The Ministry of Child Development and Women’s Affairs (MCDWA) estimates there are 89,000 conflict-affected widows in Sri Lanka, 49,000 in the east and 40,000 in the north.

According to a 2012 survey of 190 widows in Ampara and Batticaloa, in the east, 11 per cent became widows between the ages of

10 and 20, and 38 per cent between 20 to 30 years.<sup>95</sup>

The dominant Tamil population of the north is Hindu, and traditionally they consider widows to be inauspicious. As the religion does not favour remarriage of widows, life becomes very difficult for the women who lost their husbands, especially if she has children. People get angry with widows if they see them as the first thing in the morning. They object to widows wearing a *pottu* (the red dot on the forehead that symbolizes her married status but is also decorative) or any ornaments. These women therefore prefer to be called ‘single women’ or ‘women heading households.’ A survey showed that more than 50 per cent of the female household heads in Sri Lanka were widows.<sup>96</sup>

93 Estimated Mid-year Population by District and Sex, 2012-2013, Sri Lanka Census of Population and Housing

94 Number and Percentage of Population by District and Marital Status, Sri Lankan Census of Population and Housing, 2001. The data set is not gender disaggregated.

95 Women’s Education and Research Centre (WERC), Undated.

96 Household Income and Expenditure Survey, 2009-10

In case of women whose husbands disappeared during the conflict, they had to wait for seven years before they were officially recognized as widows. During this seven-year wait, they faced immense economic hardships.

From Jaffna in North Sri Lanka, there are reports of widows being compelled by their poverty to enter the sex trade. Shireen Abdul Saroor, a rights activist working with conflict-affected women in the north and founder of the Northern Mannar Women's Development Federation, says "with rehabilitation tardy and options to earn money few, many women have been compelled to resort to sex work to provide for their families."<sup>97</sup> Other activists say that it is difficult to rehabilitate sex workers because there is no other work. So they provide women with condoms and give advice on contraception as protection.

Sri Lanka ranks 97 out of 187 countries according to the 2011 UN Human Development Index, and fares better than other countries of South Asia.<sup>98</sup> Ranked at 74 in the Gender Inequality Index, which is based on reproductive health, empowerment and labour market participation indicators, it is again in the lead in relation to its neighbours.

But inequities exist as provinces in the north and east as well as some areas in the south, are still recovering from the three decades of conflict,

97 War Widows Turn to Sex Work in Sri Lanka, Feizal Samath, Inter Press Service, Colombo, May 12, 2012

98 Human Development Index, United Nations Development Programme (UNDP), 2012

## MENTAL HEALTH AND WIDOWHOOD

Dr. Ruwan M. Jayatunge, author of a study entitled 'Psychological Management of Stress', which is based on Sri Lankan combatants, says women in the 22 to 35 age group have become psychologically and socially vulnerable. Despite the passage of time, many have still not recovered from their grief and trauma and are unable to work.

"With widowhood they experience identity change, role adjustment and change in social status. Many other researches concur that the mental trauma of war widows can last for long years. Widow, as the name denotes, is associated with some form of socio-cultural stigma and humiliation. In many rural areas of Sri Lanka, they are considered a bad omen. Marginalized by their own community, their self-esteem plummets. Widowhood represents a form of social death. They have persistent headaches, backaches without any medical basis and these symptoms do not respond to painkillers," says Dr. Ruwan.

He refers to the case of a lance corporal's young widow, who had no family she could turn to, and was therefore compelled to stay with her mother-in-law. The mother-in-law took away her widow's pension but provided food to her and her three-year old daughter. When she went to the *gramaniladari* (village level administration) every month to confirm she was still a widow and had not remarried, the man in charge of the section would pass lewd remarks and even tried to hold her hand. When she objected, he delayed signing her papers. The woman started to suffer from depression and would have committed suicide were it not for her young daughter. She indicated that she had become a "living dead" to Dr. Ruwan.

leading to an unequal development of the country, as pointed out by Dr Selvy Tiruchandran, Executive Director of WERC. The other two important reasons are, poor female representation in Parliament (13 in a house of 225) and low female participation in the labour force—just 30 per cent and stagnant for many years.<sup>99</sup>

The opportunities for employment and earning a decent wage are limited. The WERC study in Ampara and Batticaloa shows that over 57 per cent of those surveyed were self-employed and six per cent were engaged in agriculture. They had no avenues for employment and were very poor.

The study further revealed that the total monthly income of over 41 per cent of the widows was LKR 1000 (equivalent to approx. USD 8). Another 30 per cent earned LKR 1000 to 3000 (equivalent to approx. USD 8 to 24) and just 12 per cent earned over LKR 5000 (equivalent to approx. USD 40).

## 4.1 Policies and Programmes for Widows

**The Programme for Empowering Widows and Female Headed Families** is the only programme specifically catering to widows and is implemented by the Ministry of Child Development and Women's Affairs (MCDWA), the nodal ministry of the government involved in empowerment programmes for women. This programme helps widows and female-headed households cope with the social and emotional challenges of being single, alone and burdened with responsibilities. It also helps them in acquiring livelihood skills and training to become entrepreneurs.

---

99 Human Development Index, United Nations Development Programme (UNDP), 2012

According to a senior official at the government's Women's Bureau, a sum of LKR 4 million (equivalent to approx. USD 317,270) has been spent to promote livelihood activities for widows under a 2011 empowerment programme. Another LKR 6 million (equivalent to approx. USD 476,190) was allocated in 2012 for self-employment opportunities for widows.

After training in different income generating activities, these women were provided financial support to invest in material and infrastructure to start small businesses, such as, buying cloth and sewing machines for tailoring. So far, 600 widows have benefited from this programme.<sup>100</sup>

**Pension:** Under the Widows' and Orphans' Pension Fund Amendment Bill (passed in 2010), the pension is given to only those widows whose husbands were part of the government system.

Widows of defence personnel usually receive around LKR 32,500 (equivalent to approx. USD 250) as a one-time settlement and an extra LKR 13,000 (equivalent to approx. USD 103)<sup>101</sup> from the state when they can produce their husband's death certificates.

**Public Assistance Allowance:** Under this scheme, a sum of LKR 500 (equivalent to approx. USD 4) per month is given to the abysmally poor, unemployed widows.

## Other Policies

**Women's Charter and the Women's Commission Bill:** The two main policies that relate to the development of women are the Women's Charter and the Women's Commission Bill. Under the Charter, the

---

100 Stated by Senior Official, Women's Bureau in interview, UN Women consultations on widows in South Asia, Udaipur 2012

101 Association of War Affected Women, 2009

government seeks to remove negative social attitudes towards widows, divorcees, single women who head households and other vulnerable women. The Women's Bill is the main policy document that relates to national development—the *Mahinda Chinthana (Mahinda Vision)*—but there is nothing specific about widows in it.

The Ministry of Child Development and Women's Affairs (MCDWA) is the nodal ministry responsible for the promotion and protection of women's rights. The National Committee for Women and the Sri Lanka Women's Bureau are statutory institutions under the Ministry.

## Other Programmes

Several other programmes for women are implemented through the Women's Bureau and other government departments seek to include widows.<sup>102</sup>

**The Nanwamu Gammana Programme<sup>103</sup>** aims at the economic empowerment of women at the divisional level by providing infrastructure for self-employment through cooperative farms, dairy farm and minor industries.

While harnessing the contribution of women for development, this programme seeks to improve the nutrition and health of people and focus on environment conservation.

**Livestock Development Programme<sup>104</sup>** seeks to encourage self-employment and income generation of rural women by giving them cows on a revolving loan basis. They have to

repay the loans over six months.

Under the **Revolving Credit Scheme**, members of the Women Action Societies (WAS) get credit of LKR 5,000 to 30,000 on a revolving basis for micro businesses. Money is released only after the approval of the project work plan by the Women's Bureau. Two days of entrepreneurship training by recognized NGOs precedes the setting up of a business.

**The Wanitha Shakthi Foundation** commissioned a banking system in 2000 that saves rural women high interest rates and the government, the time wasted on recovering the credit. Members of the WAS assist the 59 Wanitha Shakthi Bank Societies in 20 divisions of the island. Much like the Self-help Groups (SHGs) in India, groups of five women members of WAS can open a savings account.

**Exhibition and Trade Fair for Women Entrepreneurs** promotes self-employment and enables women to market their products locally and internationally. The trade fair is held in the festive seasons—the Sinhala and Tamil New Year and Christmas—when there is a good turnout.

**The Home Gardening Programme** with the aim of raising nutrition levels and ensuring additional income, implemented in 2011, benefits 10 selected persons from each division. Vegetables, fruits and yams are cultivated in home gardens after two days training which includes compost production. Seeds and basic agricultural tools for cultivation are provided to beneficiaries.

**The Safe Homes and Counselling Programme** seeks to enhance the status of women and their capability to cope with mental stress. The women are also provided psychiatric care if required. Based on the Security Council Resolution 1395

---

102 Stated by Senior Official, Sri Lanka National Committee on Women, UN Consultations on widows in South Asia, Udaipur, 2012

103 Under Ministry of Child Development and Women's Affairs

104 Under Ministry of Child Development and Women's Affairs, Government of Sri Lanka

to provide counselling and security to victims of conflict, the Women's Bureau has 13 counselling centres and has recently recruited 325 assistant counsellors. This is in addition to the 100 counselling centres run by the Ministry of Social Service. A centre for women experiencing domestic violence is also planned.<sup>105</sup>

To minimize violence against women and children and prevent human trafficking, women and children are educated on laws dealing with trafficking. The project officers have been asked to give priority to widows.

Under the Samurdhi Authority<sup>106</sup>, poverty reduction programmes are initiated and micro loans given for small businesses to individuals or groups of poor. The Samurdhi Banking Association has networked into villages to provide loans and enhance savings. It supports the education of children and seeks to improve the nutrition levels of the poor.

Widows/women belonging to the Women Action Societies (WAS) have priority under this empowerment programme. Widows, who are not members of WAS, can also get access to financial help after informing the relevant women development officer of the division. However, the widows have to be below 50 years of age. Since younger widows have priority, older ones have no option but to access other schemes like the revolving credit assistance.

## 4.2 Gaps in Implementation

**Pension policy excludes widows:** Only those widows are entitled to pension whose husbands served in the government.

---

105 Interview with Senior Official, Women's Bureau, Government of Sri Lanka

106 Under Ministry of Economic Development, Government of Sri Lanka

**Convergence and accountability issues:** While the Ministry of Child Development and Women's Affairs is in charge of women empowerment programmes, the pension is the responsibility of the Ministry of Social Service, therefore resulting in fragmented service delivery. With no single window for services for widows, accountability is poor.

**Insufficient monetary assistance:** The Public Assistance Allowance of LKR 500 (equivalent to approx. USD 4) a month, which is given to the poor and unemployed widows, is meagre and insufficient to meet their needs.<sup>107</sup>

**Paucity of data:** Due to a lack of proper data on widows, both conflict-affected and otherwise, the number of widows getting the Public Assistance Allowance is unclear.

**Inadequate food-security coverage for widows:** Although poor widows do get some food on a monthly basis under the government's Samurdhi programme, it is insufficient to cover even their basic needs.<sup>108</sup>

**Geographical disparities in development:** The WERC study shows that in Sri Lanka, even though the widows are moderately educated, they continue to be poor because of lack of employment and uneven development in the country.

**Difficulties in access:** Since most forms are in Sinhala or English, it becomes difficult for uneducated widows, particularly from minority communities, to complete them to access their entitlements, thus impeding their access to many schemes.

---

107 Stated by widows from Sri Lanka in interview, UN Women consultation on status of widows in South Asia, Udaipur, 2012

108 Visakha Dharmadasa, Head, Association of War Affected Women, an NGO working for women in Sri Lanka

### 4.3 Good Practices

#### **Pension Continued after Widow**

**Remarriage:** In Sri Lanka, the pension given to widows of government employees is reduced by fifty per cent if she remarries. The remaining sum goes to the children from the first marriage. Although widows interviewed recognized this as a good practice, it does lend itself to further examination from the perspective of the inbuilt patriarchal mindset that the widow on remarriage will be supported by her new husband.

**Livelihood Programmes:** The WERC works to improve the employment prospects of widows. In Jaffna, it has imparted skills in sewing; in the Eastern Provinces, it has helped women to run restaurants and improved their knowledge of banking and management skills as well as in speaking English. After the WERC training, two women started a catering business which they run from their homes. WERC also plans to set up a bakery in the Northern Province.

One of WERC's successful programmes has been the trishaw or auto rickshaw scheme. It has opened a new avenue of employment for widows by training them to run trishaws. Initially, begun in Jaffna, its success has led them to initiate the programme in the war-affected regions of Batticaloa and Ampara.



Twenty-seven widows, all below 35 years of age, with two to three children, have been trained as three-wheeler drivers. Out of these 27 trishaws, 12 are run in Jaffna, seven in Ampara and eight in Batticaloa. Each trishaw costs LKR 385,000 (USD 3055). Under a bilateral agreement, the Indian High Commission gave 15 trishaws; another 12 were purchased from funds raised by WERC.

Not only have widows become economically independent, earning between SLR 8000 to 10,000 (equivalent to approx. USD 64 to 80) every month, they have become more self-confident.

#### WIDOWS DRIVE TRISHAWS, GET EMPOWERED

Jeya, 36, and mother of three young children, is one of the recipients of a trishaw. She says her life transformed after she joined the empowerment programme of WERC in 2011.

After learning about her entitlements as a poor woman and head of her family, she went off to the local office to register herself for the monthly public assistance scheme, but they would not give her the form.

She plucked up courage and complained at the divisional secretariat and finally, got the approval for public assistance. After 10 months of running around, she is now getting the money. Getting the trishaw was another boost to her morale. Though she works harder now, she has a better life and feels empowered.

The success of these women trishaw drivers prompted the divisional government head to provide a designated stand for female drivers to park their trishaws. However, as pointed out by Dr Selvy, “*more such sustainable livelihood programmes are needed.*”

The life of Sivamani Baskaran, 45, from Ampara, has also changed. In 1990, when the military took her husband away she was just 23 years old and her husband 27. Their son was just nine months. Her husband never came back. Even today, tears trickle down her face when she narrates the travails of being alone and financially bankrupt with a child to care for. She moved in with her mother and brother and looked around for daily wage work to support herself and her family. She even managed to get a job as a primary school teacher but it did not last long because she did not have the requisite educational qualifications. Therefore, she learnt to survive by preparing food that she sells every day to this day. Her son is educated but he is not yet working or in a position to support her.

Like many other widows, Sivamani expresses the need for skill training and capital to start an income generating activity. Her life

has changed ever since WERC selected her for the widows’ empowerment programme supported by UN Women. Though she is still poor, her confidence has increased and she has become self-reliant. In addition to selling cooked food, Sivamani is now also helping in counselling women who are caught in a situation similar to hers until WERC extended its support.

## 4.4 Key Findings and Recommendations

### Key Findings

- **Stigma and discrimination against widows persist:** Despite the higher literacy levels in Sri Lanka, and as in India and Nepal, Hindu widows have to undergo a change in their outward appearance after the death of the husband. The *tali* and *Pottu*, the two symbols of wedlock, the former, a necklace put on the wife by the husband and the *pottu* applied on her forehead, are removed, so that everyone knows that she is a widow. Widows are not allowed to participate in religious rituals and are considered inauspicious.

## LEARNING TO LIVE AGAIN

Thavamalar is today the head of the Samurdhi Society and the leader of the Women’s Development Society (WDS) in her village in Ampara. She was just 18 years and pregnant when she lost her husband in the war in 1990. It was with great difficulty that she brought up her son. Her hope that he would be her support when he grew up was shattered in 2011 when he married without her knowledge and broke off all relations with her.

Disillusioned, she joined the WERC women’s empowerment programme and learnt how to participate in discussions and fight for the rights of women. Among WERC’s group of 100 empowered women, she today, heads the WDS and is fighting for the rights of others like herself—shattered by war and saddled with responsibilities of children.

- **Caste and Religion play an important role in defining widows' access to rights and entitlements:** An important research finding was that the most vulnerable widows in Sri Lanka, as in India and Nepal, belonged to marginalized communities. Caste and religion continue to play a critical role in accessing entitlements. Sri Lankan widows belonging to the minority community find it difficult to access welfare provisions, and face barriers in accessing micro credit schemes for self-employment and other income generating programmes.
- **Paucity of analytical research:** There has been no comprehensive research on widows in Sri Lanka. Although the national census and Ministry of Child Development and Women's Affairs keep record of widows, several areas such as stigma and discrimination; mental health; issues specific to widows belonging to ethnic/minority groups; challenges in accessing government's welfare schemes require comprehensive research.
- **The current pension provision doesn't benefit a large section of conflict-affected widows:** Under the new Widows' and Orphans' Pension Fund Amendment Bill (passed in 2010), pension is given only to those widows whose husbands were a part of the government system. This has excluded many women whose husbands did not work in the government as well as those who were widowed because of the conflict. Further, the pension given to widows under the said bill is reduced by fifty per cent should she remarry. The remaining sum goes to the children from the first marriage.
- **Several welfare and economic empowerment programmes for women can be accessed by widows, although linking them with such schemes is a challenge:** The Sri Lankan government has designed several schemes for livelihood promotion, entrepreneurship development, and to address violence against women. While these opportunities are open to all women, linking widows to these programmes needs special efforts. Collaboration between government agencies and NGOs was found to be effective in this regard.
- **Low education levels and geographical disparities add to widows' vulnerability:** : In Sri Lanka, the WERC study shows that though the widows are moderately educated they continue to be poor. Over 33 per cent had studied up to classes between 6 and 10, and 55 per cent up to class 5. There are also apparent geographical disparities in socio-economic indicators; widows from conflict-affected areas are likely to be less educated than their counterparts in other areas.
- **Customary laws on inheritance are major limitations for widows:** Customary laws for Tamils mandated that while women could inherit property from parents as well as from their husbands, they needed the permission of the husband to sell or mortgage land/property given by parents and held in their name. On the husband's death, however, they were free to sell it. In the case of women whose husbands had disappeared during conflict, they had to wait for seven years before they were officially declared widows. During this period of waiting, they faced immense economic hardships.
- **Lack of basic documents is a major difficulty faced by widows from conflict-affected areas:** Many conflict-



affected widows in Sri Lanka have lost their documents and this adds to their challenge in accessing entitlements. Tamil widows also face language barriers in accessing their entitlements, as the various forms for government entitlement are generally in Sinhala or Tamil, which are languages they do not know.

## Key Recommendations

- **Commission more empirical studies on status of widows and challenges they face:** As mentioned in this chapter, enumeration of widows is not enough as issues vary according to age group, geographical location and caste/community affiliation. Government, academicians as well as NGOs should allocate resources for credible and comprehensive research on status of widows that could feed into policies and programmes
- **Inclusive and rights based approach to social protection provisions:** The current pension provision is limited to widows of men who were serving the government. Extending economic assistance to other widows should be seriously considered as hardships faced by women are the same for all widows. Public Assistance Allowance could be upgraded for needy widows.
- **Awareness generation on available assistance and empowerment programmes:** Awareness generation on the available schemes is required, especially in remote rural areas. Women should also be made aware of the eligibility criteria, application process

and required documents. This can also be done in collaboration with civil society organisations with local presence.

- **Social and economic assistance schemes specifically for widows would be helpful:** There is a need for a greater focus on special schemes for widows, particularly those whose husbands have been missing in the North and Eastern provinces of Sri Lanka, where hi rates of unemployment among women in general is high. This would also mean allocating more human and financial resources to the concerned government departments, such as the Women's Bureau.

Shelters with proper security and care should be provided for widows who have neither land nor homes in the North and Eastern provinces, to ensure their safety.

- **GO-NGO collaboration in extending social protection and economic empowerment services should be strengthened:** The study showed that GO-NGO collaboration helped reducing the barriers faced by women and made implementation of government's welfare/empowerment programmes more effective. This area needs to be further strengthened and expanded.
- **Inter-departmental co-ordination and effective monitoring will strengthen implementation:** There is a need for integration of programmes on widows, as presently they are governed through, at least, four ministries. A 'single widow service delivery system for widows' could be considered, at least in areas affected by the conflict.

# CHAPTER FIVE

OVERALL  
FINDINGS AND  
RECOMMENDATIONS

There are several policies and programmes for widows in India, Nepal and Sri Lanka but many widows are unable to access their entitlements for a number of reasons. Poor implementation, patriarchal mindsets and discrimination, continuing discriminatory socio-cultural practices coupled with a lack of awareness arising out of illiteracy and poverty, have led to the exclusion of a large number of widows. Assessment of widow's situation and policies and programmes that could help them cope with social barriers and economic hardships brings forth the following key observations.

## Key Findings

### ■ Widows in Indian, Nepal and Sri Lanka face severe stigma and discrimination

Despite efforts to reduce stigma and discrimination, widows of all three countries continue to face societal prejudice. In Sri Lanka, India and Nepal, Hindu widows are obliged to change their outward appearance after the death of their husband. They are not allowed to participate in religious rituals and are considered inauspicious. Being treated as outcasts, leads to a loss of self-esteem and confidence.

### ■ Existence of Young Widows

In India, Nepal and Sri Lanka, there are a number of young widows. While the practice of child marriage in both India and Nepal was a contributory factor, internal conflict accounted for the large number of young widows in Sri Lanka.

In India, according to the 2001 Census, there are over one lakh widows (1,07,993)<sup>109</sup> in the age group 10-14 and 1.25 lakh widows (1,27,003) aged between 15

to 19. In Nepal, there is no credible data on the exact number of child widows. However, the country's Supreme Court, concerned about the large number of child widows or Vaikalyas residing in the Terai region, directed the government to end the practice of child marriage.

### ■ Most policies for widows lack a rights-based approach and are designed with assumptions and conditions rooted in patriarchy

In all the three countries, the approach towards assisting widows continues to be welfare-oriented. The absence of a rights-based perspective in policies and programmes makes them dependent on state support or pensions.

Policies and schemes for widows remain discriminatory and patriarchal. In India, widows below 40 are ineligible for pension with no elaboration on this exclusion. The study, in fact points that younger widows need greater assistance, as they often have to fend for their young children. Similarly, widows lose the pension if they rise above their BPL status<sup>110</sup>. In Rajasthan, India older widows lose their right to pension once their sons are 25 and 21 years, respectively, on the presumption that they would be looked after by their adult sons. In Nepal, widows who do not have a citizenship card have to prove that they are Nepalese citizens through an affidavit. This becomes difficult in cases where relations between the widow and her in-laws are strained subsequent to the death of her husband. Nepal, however, also has adopted the laudable approach where assistance to widows is provided irrespective of their age.

109 Census of India, 2001

110 National Social Assistance Programme, Ministry of Rural Development

In Sri Lanka, while women inherit property from parents as well as from their husbands, they need the permission of the husband to sell or mortgage land/property given by parents and held in their name. On the husband's death, however, they are free to sell it.<sup>111</sup>

Creating enclaves of widows, as in Vrindavan, India, which merely provide shelter and limited access to their entitlements is not transforming the situation of widows. Additionally they tend to project a picture of widows as a homogenous constituency, with stereotypes of most being old, getting perpetuated.

- **Policies on remarriages lack clarity and serve as disincentive for widows considering remarriage**

While governments of all three countries encourage remarriage, widows lose many of their entitlements, either wholly or partially, once they remarry. For instance, in Rajasthan, India, widows lose their compensatory government jobs, if they remarry.<sup>112</sup> In Nepal, remarriage makes women ineligible for interim relief provided under the government's Interim Relief Scheme meant for individuals and institutions affected by the conflict. In Sri Lanka, widows who received a pension prior to their remarriage, lose half of it when they marry again.

- **Welfare programmes treat widows as a homogenous group**

Most welfare programmes that could benefit widows tend to treat widows as a homogenous group. The study shows that situation of widows vary considerably, depending on age, societal

norms, their geographical location, educational levels and also on who their husbands were. Social norms around widowhood, in all the three countries, also make their access to basic services and welfare schemes difficult, meaning that linking them to entitlement would need more efforts by the government as well as by civil society organisations.

- **Paucity of analytical data and research**

Fortunately, all the three countries now enumerate widows in their population census. However, several aspects such as inheritance, property ownership, access to healthcare, poverty levels and crime against widows need more analytical exercise-both quantitative and qualitative. There is particular dearth of studies that could elaborate on issues of women belonging to minority groups, those residing in conflict affected areas, and widows residing in remote locations.

- **Lack of integrated services and complex procedures**

A lack of integration of services is a significant challenge for widows. In all the three countries, several government ministries were implementing schemes for widows. A lack of coordination and poor implementation of other programmes for destitute women has led to the exclusion of particularly marginalized and illiterate widows.

Procedures and documents required to access government benefits still remain complex. Lack of education as well as financial illiteracy adds to the problems of access for widows. On the part of the government weak monitoring and reporting systems further add to gaps in implementation.

---

111 Women's Education and Research Centre, Sri Lanka

112 Ginny Srivastava, ENSS, Rajasthan

- **Widows need assistance to access health care**

Widows in India and Nepal spend a substantial part of their resources on healthcare.<sup>113</sup> Similarly, in Sri Lanka, costs related to health and medical facilities were a top priority of widows.<sup>114</sup> The study also indicates that health care professionals are not sensitised to reproductive health services widows might need as widows are considered 'asexual' beings.

- **Political will exists but proactive efforts are needed by the government as well as civil society to continue and strengthen dialogue**

Despite challenges, there is a political will and an empathetic bureaucracy to ensure that programmes for widow empowerment are implemented in the spirit in which they have been framed. In Nepal, a strong political will led to the adoption of National Action Plans in February 2011, addressing various concerns of single women, such as gender-based violence, gender equality and empowerment. In India, the Rajasthan state government undertook several measures to ensure that widows received their pension. In Sri Lanka, the Women's Bureau increased its budget for the livelihood activities for widows, from LR 4 million in 2011 to 6 million in 2012.

- **Increased and strengthened partnerships among diverse stakeholders facilitates the inclusion of widows' concerns and priorities in national policies**

Research showed that strong groups of widows in the three countries

motivated an empathetic bureaucracy to ensure that programmes for widow empowerment were implemented in line with the rights-based spirit in which they are framed. A partnership between women's groups, widow collectives and the government in Nepal, led to the inclusion of the various concerns of single women including widows, such as gender-based violence, gender equality and the empowerment of women, in the National Action Plan 2011. In India, similar efforts by the National Forum for Single Women and the government resulted in their inclusion as an entity in the 12<sup>th</sup> Five Year Plan.

- **Collective action is empowering**

Collective action empowered widows to access their entitlements in all the three countries. Group support not only gave widows a sense of belonging and security, but also enabled them to access training on legal rights and skill development.

- **Proactive measures taken by the government of Nepal can be considered by other countries**

In Nepal, the government policy of giving land on lease to groups of widows to build shelter homes or *Chhaharis* has helped widow empowerment. These *Chhaharis* provide economic and emotional support to help widows become financially independent. Moreover, the Nepal government has made pension available irrespective of age, making it more inclusive. Disbursement of pension through the village development committee (VDC) in Nepal is also a good practice, as it makes access easier for women in remote rural areas, although a shortage of staff at the VDCs often delays payments.

---

113 Finding from focus group discussions, Sri Lanka, 2012

114 Study finding by Women's Education and Research Centre, Sri Lanka

## OBSERVATIONS FROM MULTI-SECTORAL CONSULTATION, UDAIPUR 2012

Inputs for the research agenda were drawn from consultations held by UN Women to discuss the draft research report on the status of widows in India, Nepal and Sri Lanka. This was held in Udaipur, Rajasthan in November 2012 and was attended by representatives of the governments of India, Nepal and Sri Lanka, civil society organizations and widows from the three countries. The participants, among various issues, emphasized the need to have more studies on aspects of violence faced by widows and impact on conflicts on lives of widows. The needs of disaggregated by age, socio economic conditions and health needs to make available a holistic picture of the condition of widows was also brought up. Women group felt that specific group within widows, such as Widows of farmers who committed suicide, half widows whose husbands are missing; child widows; and HIV positive widows need special attention. The group recommended that principles of inclusion and rights should be the primary basis of governments' policies.

### Key Recommendations

- **Discriminatory clauses should be removed and policies and schemes for widows should incorporate a rights-based approach**

Withdrawing discriminatory clauses that deny widows their rights and reinforce patriarchal assumptions is necessary. In this context, shifting from welfare-driven approaches to rights-based ones is recommended in order to transform mindsets and ensure that the rights of widows are protected and maintained. Women groups, with considerable technical and practical experiences should be involved to bring appropriate changes in policies and programmes.

- **Credible data and knowledge base on widows needs to be created**

To plan better programmes and policies, regular data collection on the status of widows is required in India, Nepal and Sri Lanka. Quality research should also be supported by the government

and donors on issues related to widow's empowerment. Civil society organisations working with women and widows, academicians and sociologists should be involved to create knowledge pool, based on credible empirical studies regarding issues and challenges being faced by widows. At the same time, available data and knowledge should be used while designing policies and programmes.

- **Access to welfare entitlements should be made simpler and easier**

In order to ensure that the good policies of the government actually impact the lives of widows, systems need to be put in place, to make it easier to obtain the documents necessary to access their entitlements. There is need for greater awareness raising with regard to obtaining birth certificates, which are required to access entitlements for children. Decentralisation of pension distribution, as in the case of Nepal could also be considered by other countries.

- **Assistance schemes should consider legal and financial literacy for widows**

Widows need concerted legal training on land and property rights as well as human rights and how to claim them. In India, women are still not aware of the law pertaining to maintenance of parents by children and how to access it. The National Legal Services Authority (NALSA) programme of paralegal volunteers to monitor the implementation of schemes and help communities access legal aid, should be extended to widow ashrams and other places where they congregate. WHR, Nepal, too, has a similar programme of paralegal volunteers and could consider establish linkages with the government to extend outreach.

- **Needs assessment for skill development and livelihood support for widows should be undertaken before designing such programmes**

A needs assessment should be undertaken regularly in all three countries for skill and job development that is age appropriate and in keeping with the educational level of widows. The Skill Development Mission in India, as well as civil society organizations engaged in providing skill training for the emerging job markets should include widows.

- **Engagement with civil society in the implementation of government programmes should be strengthened**

Research findings revealed that collaboration between government and civil society results in a more enabling environment for widows to claim relevant services. Focus group discussions in India and Nepal showed that widows who were a part of this

collaborative effort were more articulate, confident and aware of their rights. This played an important role in helping them claim their entitlements, including land rights. Similar examples were noted from Sri Lanka where collaboration has led to better implementation of skill and entrepreneurship development programmes.

- **Networks and coalitions of widows should be strengthened**

There is a need to create more networks of widows with strong community linkages. As seen in India and Nepal, collective action empowered single women access their entitlements and to live a life of dignity. Collective voices have greater potential to successfully lobby for change. In Sri Lanka, there are groups of women working for widows, especially the conflict-affected, but there could be more networking, to achieve the kind of movement seen in the other two countries.

## Other Recommendations

- Governments should engage more with organizations that impart skills training to empower widows, so that they can make a living. Creating enclaves of them, as in Vrindavan, India, is not enough as it merely provides them shelter and limited access to their entitlements.
- Instituting an independent authority or an expert group to develop mechanisms for effective implementation and monitoring of all official schemes for widows would further facilitate the government's efforts to empower widows.
- A more gender sensitive approach to the problems of widows belonging to the Muslim, Christian and other minority

- communities in all three countries will help to make the policies more inclusive.
- The condition of government shelters for widows, wherever they exist, need to be improved; budgets should be available to ensure proper maintenance and management. Officials/NGOs running them need to be sensitized on caring for the widows. A refresher course/workshop should be specially designed to keep them motivated.
  - In all three countries, mobile ambulance facilities are needed. In rural areas in India, Nepal and Sri Lanka, older widows are unable to access services. In India, destitute widows in Vrindavan wait for death as they lie uncared for on the streets.
  - In the rural areas of all three countries, there is a need for confidential reproductive health services and other healthcare for widows. In fact, sensitivity and care in handling reproductive health issues of widows should be included in the syllabus of Medical Colleges as well as courses for nurses, ANMs and ASHAs in India, and their equivalents in Sri Lanka and Nepal. There should also be refresher workshops to help increase sensitivity on the issue.
  - Universities in all three countries should incorporate studies on widows. This will help mainstream widow's concerns into education. There should also be awareness raising of the rights of widows among society at large, in order to change societal mindsets on widowhood.



## ANNEXURE 1

# PENSION AMOUNTS CONTRIBUTED BY STATE GOVERNMENTS, INDIA

S No.	Name of State/UT's	State contribution made by State under IGNOAPS, IGNWPS and IGNDPS		
		Contribution of State Govt. per pensioner per month under IGNOAPS	Contribution of State Govt. per pensioner per month under IGNWPS	Contribution of State Govt. per pensioner per month under IGNDPS
1	Andhra Pradesh	NIL	NIL	₹ 300
2	Bihar	NIL	NIL	NIL
3	Chhattisgarh	₹ 100	NIL	NIL
4	Goa	₹ 800	₹ 800	₹ 800
5	Gujarat	₹ 200		₹ 300
6	Haryana	₹ 300 (below 70 years) ₹ 500 (above 70 years)	₹ 550	₹ 350
7	Himachal Pradesh	₹ 130	₹ 130	₹ 130
8	Jammu & Kashmir	₹ 125	₹ 200	
9	Jharkhand	₹ 200	₹ 200	
10	Karnataka	₹ 200	₹ 200	₹ 800
11	Kerala	₹ 50	₹ 120	₹ 160
12	Madhya Pradesh	₹ 75	₹ 75	₹ 75
13	Maharashtra	₹ 400	₹ 400	₹ 400
14	Odisha	NIL	NIL	NIL
15	Punjab	₹ 250	₹ 250	₹ 250
16	Rajasthan	₹ 300 (below 75 years) ₹ 550 (above 75 years)	₹ 300	₹ 300
17	Tamilnadu	₹ 800	₹ 800	₹ 800
18	Uttar Pradesh	₹ 100	₹ 100	₹ 100
19	Uttarakhand	₹ 200	₹ 200	₹ 400
20	West Bengal	₹ 200	₹ 200	₹ 200

S No.	Name of State/UT's	State contribution made by State under IGNOAPS, IGNWPS and IGNDPS		
		Contribution of State Govt. per pensioner per month under IGNOAPS	Contribution of State Govt. per pensioner per month under IGNWPS	Contribution of State Govt. per pensioner per month under IGNDPS
Northe East States				
21	Arunachal Pradesh	NIL	NIL	NIL
22	Assam	₹ 50		
23	Manipur	NIL	NIL	NIL
24	Meghalaya	₹ 50	NIL	NIL
25	Mizoram	₹ 50	NIL	₹ 50
26	Nagaland	₹ 100		₹ 100
27	Sikkim	₹ 200	₹ 300	₹ 300
28	Tripura	₹ 200	₹ 200	₹ 200
Union Territories				
29	Andaman and Nicobar Islands	₹ 800 (60-79 years) ₹ 500 (80 years and above)	₹ 800	₹ 800
30	Chandigarh	₹ 500	₹ 500	₹ 500
31	Dadra and Nagar Haveli	₹ 300		
32	Daman and Diu	₹ 300		
33	National Capital Territory, Delhi	₹ 800	₹ 800	₹ 800
34	Lakshadweep	₹ 100		
35	Puducherry	₹ 400	₹ 400	₹ 400

## ANNEXURE 2:

# NUMBER OF WIDOWS BENEFITTING UNDER NSAP, INDIA, 2011-12

## National Social Assistance Programme (NSAP)

Year : 2011-2012

S No.	Name of State/UT's	No. of beneficiaries reported	
		IGNOAPS	Widow (IGNWPS)
1	Andhra Pradesh	1386401	303945
2	Bihar	3525109	360242
3	Chattisgarh	600957	116134
4	Goa	2136	
5	Gujarat	355087	1406
6	Haryana	131326	31202
7	Himachal Pradesh	94220	8891
8	Jammu & Kashmir	126914	4517
9	Jharkhand	732991	121311
10	Karnataka	933891	202186
11	Kerala	254397	34244
12	Madhya Pradesh	1281512	354652
13	Maharashtra	1071000	323000
14	Odisha	1777083	194379
15	Punjab	177040	14745
16	Rajasthan	632860	99658
17	Tamilnadu	1204245	335103
18	Uttar Pradesh	3799208	584781
19	Uttarakhand	252827	11865
20	West Bengal	1883799	389432

### NE States

21	Arunachal Pradesh	31209	1849
22	Assam	598965	44087
23	Manipur	72514	4675
24	Meghalaya	48112	6749
25	Mizoram	26359	891

S No.	Name of State/UT's	No. of beneficiaries reported	
		IGNOAPS	Widow (IGNWPS)
26	Nagaland	46483	1961
27	Sikkim	17027	326
28	Tripura	152550	10605
	<b>Total</b>	<b>21216222</b>	<b>3562836</b>
<b>Union Territories</b>			
29	Andaman and Nicobar Islands		
30	Chandigarh	3784	2910
31	Dadra and Nagar Haveli		
32	Daman and Diu		
33	National Capital Territory, Delhi	140791	58522
34	Lakshadweep		
35	Puducherry	23607	4199
	<b>Sub Total</b>	<b>168182</b>	<b>65631</b>
	<b>Grand Total</b>	<b>21384404</b>	<b>3628467</b>

### ANNEXURE 3:

# NUMBER OF WIDOWS IN INDIA, BY AGE

Home | Login | Tender | Sitemap | Contact Us

Govt of India  
**Government of India**  
 Ministry of Home Affairs  
 Office of the Registrar General & Census Commissioner, India

Search this Site   Quick Links

ABOUT US

**Socio-cultural aspects**

Religious compositions | Age groups | Age and marital status | Educational level and age groups | Educational level and age groups (SC) | Educational level and age groups (ST) | Attending educational institutions | Attending educational institutions (SC) | Attending educational institutions (ST) | Disabled population | Type of disability

/w EPDw UKMItz

/w B/WBAlaw +Xz

**Age and marital status**

Select  India  State

S No.	Age groups	Total population	Never married	Married	Widowed	Divorced/Separated	Unspecified
1	All ages	1,028,610,328	512,667,639	468,593,016	44,018,648	3,331,025	0
2	0-9	238,763,954	238,763,954	0	0	0	0
3	10-14	124,846,858	122,680,209	2,009,502	107,993	49,154	0
4	15-19	100,215,890	85,846,997	14,121,302	127,003	120,588	0
5	20-24	89,764,132	40,185,488	48,812,744	406,250	359,650	0
6	25-29	83,422,393	13,896,671	68,244,308	800,615	480,799	0
7	30-34	74,274,044	4,061,035	68,411,590	1,294,540	506,879	0
8	35-39	70,574,085	1,658,944	66,437,738	1,984,886	492,517	0
9	40-44	55,738,297	939,025	51,866,078	2,547,722	385,472	0
10	45-49	47,408,976	605,298	43,330,274	3,188,846	284,558	0
11	50-54	36,587,559	464,350	31,678,322	4,240,181	204,706	0
12	55-59	27,653,347	297,335	23,337,040	3,894,613	124,359	0
13	60-64	27,516,779	406,044	20,076,244	6,908,530	125,961	0
14	65-69	19,806,955	319,339	13,579,397	5,827,881	80,338	0
15	70-74	14,708,644	298,395	8,491,185	5,862,629	56,435	0
16	75-79	6,551,225	165,160	3,678,819	2,683,554	23,692	0
17	80+	8,038,718	356,786	3,592,246	4,059,466	30,220	0
18	Age not stated	2,738,472	1,722,609	926,227	83,939	5,697	0

## ANNEXURE 4:

# TOOLS USED IN THE STUDY

### Questionnaire for Lily Thapa, founder, WHR

1. What are the major hurdles in empowering widows that you faced in the last 10 years? Have you managed to reach out to all the widows in the country?
2. How did you overcome these problems and what were the strategies you adopted to facilitate access to their rights?
3. Have you been able to get the government on board?
4. What are the income generating activities that can be sustainable in empowering widows? How can these be institutionalized?
5. What are some of the gaps that still remain between policy and its implementation?
6. What more need to be done at the policy level to include more widows?
7. What are the categories of widows in Nepal and are they covered by any scheme?- eg internal conflict, HIV widows etc?
8. How have you managed to get widows their inheritance/property rights?
9. How about linking up with other NGOs working for women to ensure all widows are included?
10. Are there any good global or regional strategies that can be adapted for widow empowerment?
11. How do you think widows in South Asia, particularly in India, Nepal and Sri Lanka can be more empowered?
12. What are the areas/issues that need greater research?

### Questionnaire for DM Udaipur

1. Do you have any data on the number of widows in Rajasthan/Udaipur?
2. Is there any system of collection of data on the widows?
3. Which are the schemes that the Rajasthan government has for widows?
4. Are there any special income generating schemes?
5. Are widows able to access these schemes? Is there any data available on the number of widows accessing these schemes?
6. What are the basic requirements to access such schemes?
7. How many widows have benefited from the free life insurance scheme – (BPL Pannadai Jeevan Amrit scheme)?

8. If they don't have birth certificates and death certificates (of their husband), how do you help them?
9. What are the problems that you face in getting widows their pensions or other entitlements under the state and central government programmes? Is there any fixed quota for pensions?
10. What are the gaps in implementation of these policies? What steps have you taken to bridge these gaps?
11. What is the financial allocation for widows? Has it increased over the past 10 years?
12. Are there any government shelters and private homes for widows in Rajasthan/ Udaipur?
13. What kind of health facilities are available specifically for widows? Has the mukhiyamantri BPL jeevan rakshakosh started and if yes, how many accessed it?
14. Does your administration have any funds to cremate homeless widows?

### **Questionnaire for Government officials, Kathmandu**

1. Do you have any data on the number of widows in Nepal?
2. What is the system of collection of data on the widows?
3. Which are the schemes that the government has for empowering widows?
4. Are there any income generating schemes?
5. Are widows able to access these schemes? Is there any data available on the number of widows accessing these schemes?
7. What are the basic requirements to access such schemes?
8. What are the problems that you face in getting widows their pensions or other entitlements under the government programmes?
9. Trafficking is a big problem in Nepal. Has the government taken any special steps to protect widows, especially the child widows who are more vulnerable?
10. The number of women with HIV is growing in Nepal. What percentage of these are widows?
11. HIV widows face greater discrimination. Are there any programmes for their healthcare and rehabilitation?
12. What kind of health facilities are available specifically for widows?
13. What are the gaps in implementation of these policies? What steps have you taken to bridge these gaps?
14. What is the financial allocation for widows in Nepal's annual budget? Has it increased over the past 10 years?
15. Does your administration have any funds to cremate homeless widows?

## FGD Checklist, Udaipur

**Introduction:** We are doing a project to put together existing policies and programmes of the Government for widows and whether there are any gaps in its implementation. We would like to ask you a few questions about this.

1. What are the schemes through which you are getting financial help for food, pension, accommodation and medical requirements, for children's education/ marriage?
2. The state government given INR 10,000 for your daughter's marriage. Have you accessed it?
3. Do you have a ration card? Do you get your full quota of rations?
4. Do you have a BPL card?
5. Do you have a voter's card?
6. Do you have a bank account?
7. What are the problems you faced in getting these cards? How did you get these cards?
8. What should the government do to ensure your medical needs are looked after?
9. Do you have any property in your village? Do you know you are entitled to get a share after the death of your husband? Have you received government assistance to get your property back?
10. Under the Older people policy, you are entitled to maintenance from your children. Are your children supporting you?
11. Do you have any knowledge about your legal rights? Have you received any legal training?
12. What are your sources of income?
13. What are the kinds of income generating activities would you like the government to start so that you can become economically independent?
14. Would you like to stay in government run homes?
15. What are your views on remarriage? Are you aware that the government gives INR 15,000 for remarriage?
16. The Supreme Court has asked the UP state administration to ensure the last rites of widows are dignified. Would you like similar assurances for Rajasthan?

## FGD Checklist, Vrindavan, India

**Introduction:** We are doing a project to put together existing policies and programmes of the Government for widows and whether there are any gaps in its implementation. We would like to ask you a few questions about this.

1. What are the schemes through which you are getting financial help for food, pension,



accommodation and medical requirements, for children's education/ marriage? The UP government given INR 10,000 for your daughter's marriage. Have you accessed it?

2. Do you have a ration card? Do you get your full quota of rations?
3. Do you have a BPL card?
4. Do you have a voter's card?
5. Do you have a bank account?
6. What are the problems you faced in getting these cards?
7. We know you come to Vrindavan for moksha. Would you like any government assistance to ensure that you get a proper cremation?
8. What should the government do to ensure your medical needs are looked after?
9. Do you have any property in your home town/village? Do you know you are entitled to get a share after the death of your husband? Would you like government assistance to get your property back?
10. Under the Older people policy, you are entitled to maintenance from your children. Are your children supporting you?
11. What are your sources of income?
12. What are the kinds of income generating activities would you like the government to start so that you can become economically independent?
13. What are your views on remarriage? Are you aware that the government gives Rs11,000 for remarriage of couples below 35 who do not pay income tax.
14. If you are given your pension and you entitlements in your home state, would you still come to Vrindavan?



**Usha Rai** is a veteran journalist who has worked with mainline newspapers for over 35 years on social and development issues. She is currently a media and communication specialist, documenting change and doing research-based writing. Her interest in widows and their plight deepened after she did a story for the *Indian Express* on the large sums of money lying unclaimed in bank accounts of widows in Vrindavan.

In 2004, Ms Rai wrote a research-based report on the status of women journalists in the print media for the National Commission for Women and the Press Institute of India. She also did a media manual on HIV and AIDS for UNDP focusing on reporting and how it adds to stigma and discrimination.

**Swapna Majumdar** is an independent journalist focusing on research-based articles on development issues and the role of women as agents of social change. Her empathy and commitment to writing on health, education, child rights, nutrition, sanitation, climate change, livelihoods, and governance issues through a gender lens has won her professional awards.

Her articles have appeared in national newspapers such as *The Hindustan Times*, *The Indian Express*, *The Times of India*, *The Hindu*, *Deccan Herald*, *The Tribune* and the *Hindu Business Line*. She has also written for international publications like the *South China Morning Post* and the *Sydney Morning Herald*. Her documentation of grassroots initiatives on adolescent reproductive and sexual health, maternal and child health, protection of child rights in conflict zones, stopping sex selection, ending trafficking, and HIV prevention programmes have been published as books.

